BRITISH BURMA.

CIVIL JUSTICE REPORT 1867.

EXTRACT

FROM THE

PROCEEDINGS

OF THE

Chief Commissioner, British Burma,

IN THE

HOME DEPARTMENT,

No. 85.

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CHIEF COMMISSIONER'S REPORT.

ARAKAN

COMMISSIONER'S REPORT AND STATEMENTS,
DISTRICT REPORTS.

PEGU

COMMISSIONER'S REPORT AND STATEMENTS,
DISTRICT REPORTS.

TENASSERIM

COMMISSIONER'S REPORT AND STATEMENTS,
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☞ Spelling, punctuation and wording of each Report closely adhered to throughout.

REPORT,

EXTRACT FROM THE PROCEEDINGS OF THE CHIEF COMMISSIONER IN THE HOME DEPARTMENT

No 85.

REPORT

UPON THE ADMINISTRATION OF CIVIL JUSTICE IN THE PROVINCE OF BRITISH BURMA FOR 1867.

General out turn of work noticed

1. The general out-turn of work will first be noted on, and any special remarks which appear called for on the divisional reports, will be made subsequently.

Returns shewing the aggregate work performed in the Civil Courts under notice

2 The following return (1) places in a clear view the general result of the work performed, during the year under remark, in all Civil Courts throughout the Province, except in the Chief Court and in those of the two Recorders.

No. 1.

Division.		No. of cases pending at the Commencement of 1866 and 67.				No. of cases instituted during 1866 and 67.				No. of cases disposed of during 1866 and 67.				No. of cases pending at the close of 1866 and 67				Amount value of property litigated in (Original suits.	Value of stamps on original suits.	Costs of every description in original suits disposed of.
		Appeals and second Appeals.	Original (regular) suits.	Miscellaneous suits.	Total.	Appeals and second appeals.	Original (regular) suits.	Miscellaneous suits.	Total.	Appeals and second appeals.	Original (regular) suits.	Miscellaneous suits.	Total.	Appeals and second appeals.	Original (regular) suits.	Miscellaneous suits.	Total.			
ARA-KAN.	1866	21	31	14	66	296	3,309	1,594	5,199	302	3,313	1,587	5,202	15	27	21	63	2,47,983	18,520	30,732
	1867	15	27	21	63	257	2,876	1,707	4,840	254	2,866	1,713	4,833	18	37	15	70	2,76,417	17,860	29,689
	1866	91	201	20	312	783	13,065	2,222	16,070	820	13,118	2,220	16,158	54	148	22	224	9,37,193	66,391	1,15,040
	1867	54	148	22	224	742	12,422	2,419	15,583	666	12,354	2,416	15,436	130	216	25	371	8,55,306	73,079	1,18,625
PEGU	1866	20	92	13	125	410	3,216	3,353	6,979	413	3,196	3,349	6,958	17	112	17	146	2,19,170	15,082	25,250
	1867	17	112	17	146	397	3,018	3,519	6,934	366	3,047	3,519	6,932	48	83	17	148	1,73,104	17,962	26,800
TENAS-SERIM	1866	132	324	47	503	1,489	19,590	7,169	28,248	1,535	19,627	7,156	28,318	86	287	60	433	14,03,346	99,993	1,71,631
	1867	86	287	60	433	1,396	18,316	7,645	27,357	1,286	18,267	7,618	27,201	196	336	57	589	13,04,887	1,08,801	1,70,204
TOTAL.		—46	—37	+13	—70	—93	—1274	+476	—891	—249	—1360	+492	—1117	+110	+49	—3	+156	—98,459	+8,808	—1,427

Pending Cases.

3. It will be seen that, as regards the balance of work in hand at the close of 1867, as compared with 1866, there was an increase of 156 Pending Suits.

In the Commissioner's Courts.

4. In the Courts of the Commissioners, the Pending Cases were as follows:—

Arakan	....	....	....	2
Pegu	....	....	....	4
Tenasserim	....	....	....	2

In the Courts of the Deputy, Asst., and Extra Asst. Commissioners.

5. In the Courts of the Deputy, Assistant, and Extra Assistant Commissioners the Pending Cases were:—

No. 2.

Courts.	Arakan.			Pegu.			Tenasserim.						Grand total.
	Akyab.	Sandoway.	Ramree.	Rangoon.	Bassein.	Myanoung.	Prome.	Toungoo.	Amherst.	Shwegeen.	Tavoy.	Mergui.	
Depy: Commr's: ...	18	...	...	...	7	96	22	2	29	12	6	...	192
Asst. do.	...	...	...	5	7	...	...	3	8	4	...	...	27
Ex Asst. do ...	49	1	...	110	32	4	67	5	72	11	4	...	365
TOTAL ...	67	1	...	115	46	100	89	10	109	27	10	...	574

Court of the Cantonment Magistrate, Rangoon.

6. In the Court of the Cantonment Magistrate of Rangoon seven suits were pending.

Courts in which no Cases were pending.

7. In the several Courts of the districts of Sandoway and Mergui, no cases were pending at the close of the year.

Court which showed the greatest number of suits pending.

8. From the above returns it will be observed that, as regards the Courts of the Deputy Commissioners, that in which the greatest number of suits was pending is Myanoung. The Deputy Commissioner complains that he was overwhelmed with Criminal work. In his Court 87 appeals and 20 Miscellaneous cases were decided during the year; 96 appeals remained on his file. The Court with the next highest number of pending cases is that of the Deputy Commissioner of Amherst; but in this Court 565 cases were disposed of, 76 of which were appeals. The delay is partly to be accounted for by the several changes in the Deputy Commissioners, no less than 4 changes having taken place during the year.

Pending Cases in the Courts of Assistant Commissioners few in number.

9. The pending cases in the Assistant Commissioner's Courts are few and call for no particular remarks.

Pending Cases in the Courts of Extra Assistant Commissioners.

10. Considerable delay is apparent in the disposal of Civil business in the Courts of the Extra Assistant Commissioners of Rangoon, Amherst and Prome.

Of Pending Miscellaneous cases.

11. The total number of pending Miscellanous cases in all the Courts, at the close of the year, was 57; which were chiefly in Courts of the lowest jurisdiction and involved therefore suits of small value.

Total number of cases instituted fewer than in previous year

12. The total number of cases instituted during the year were fewer by 891 than in the previous year; the decrease is apparent in each of the divisions, and is attributed generally to the slackness of trade. The total amount of cases instituted in 1867 shows, however, an increase over 1865 of more than 1500.

Value of Original suits also less.

13. The amount of the value, likewise, of Original suits instituted, shows a decrease amounting to Rs. 98,459: the decrease was chiefly in Pegu and next in Tenasserim, while in Arakan there was an increase.

14. As regards Stamps, the total increase of duty on Original suits is Rs. 8,808; there was a fair increase in the Pegu and Tenasserim divisions, attributable to the enforcement of the New Stamp Act, XXVI of 1867; but in Arakan, which is the only division showing an increase in value of property litigated, there is actually a decrease in Stamps levied, notwithstanding that the new Act was in force in that division as well as in the other two. No explanation is given by the Commissioner as to how it came to pass that with an increase in amount litigated, and increase in the rate of duty, the amount of Stamps realized was less. An explanation of this apparent discrepancy will be called for.

Increase in Stamps

15. There was a decrease of 1117 in the total number of cases disposed of, this should not have occurred as the decrease in cases instituted was only 891.

Increase in number of cases disposed of

16. As regards the Original suits disposed of, 60.53 per cent were decided on their merits; 18.65 per cent rejected, dismissed or transferred; 13.36 per cent were compromised; and 7.46 per cent decided exparte.

Regarding disposal of Original suits

17. As there was a diminution in the number of suits, so likewise there was a falling off in the value to the amount of Rs. 98,459. The total value of Original regular suits was Rs. 13,04,887, and the total Law costs thereon, including the value of Stamps, being Rs. 1,70,204, the rate per cent of costs on amount litigated was 13.0, as compared with 12.2 for the previous year.

Value and costs of Original suits

18. In the following table is exhibited the general nature of Original suits instituted during 1867.

sture of Original suits

No. 3.

Nature of Suits.	Arakan.	Pegu.	Tenasserim.	Total 1867.	Total 1866.
I. Suits Connected with Immovable Property.					
1. Houses .. .	7	70	37	114	140
2. Lands	193	488	231	912	1048
3. Mortgage	11	38	36	85	64
4. Fisheries	1	14	19	34	62
5. Inheritance .	26	33	24	83	93
6 Other cases .	50	240	11	404	588
II. Suits not Connected with Immoveable Property.					
1. Debt .. .	1083	4010	970	6063	6483
2. Damages for breach of Contract or loss or injury to property ...	139	1043	269	1451	1233
3. Damages for personal injury or wrong.	32	1511	72	1615	1567
4. Marriage and divorce .. .	213	1272	138	1623	1860
5. Inheritance ..	66	130	47	243	177
6. Other cases ..	1055	3570	1064	5689	6295
Total ..	2876	12,422	3018	18,316	19,590

Under what heads the decrease occurred

19. The decrease was chiefly under the heads of Houses, Lands, Fisheries, Debt and Divorce.

The increase was under Mortgages, Breach of Contract, Personal damages and inheritance. 8.9 per cent of the suits were connected with immoveable property, the remainder for damages, wrongs, and matters not connected with real property.

Appeals and second appeals in Regular suits

20. The appeals and second appeals in Regular Civil suits disposed of, are shown in the following table (4), in which is indicated the Courts from which they were preferred: the total is 1286 appeals against 1535 for the previous year. The principal decrease was in the Pegu division.

No. 4. *The following is a comparison of the average duration of appeals in the several District Courts for the year under review as compared with* 1866.

Courts from which the Appeals and second Appeals are preferred.	Arakan Division.					Pegu Division.					Tenasserim Division.				
	Decree for Respondent.	Decree of Lower Court Reserved or modified.	Rejected.	Otherwise settled.	Total.	Decree for Respondent.	Decree of Lower Court reserved or modified.	Rejected.	Otherwise settled.	Total.	Decree for Respondent.	Decree of Lower Court reserved or modified.	Rejected.	Otherwise settled.	Total.
Regular Appeals.															
From Deputy Commissioners to Commissioners of Divisions	.....	.....	.....	.....	.....	.....	.....	1	..	1	.....	.....	.....	.....	.....
From Supdt. of Hill Tribes Northern Arakan to Commr's of Divisions	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	..	..	.....	.....	. .
From Assistant Commissioners to Deputy Commissioners	7	.....	...	1	8	17	28	4	5	54	4	5	...	1	10
From Extra Assistant Commr's, 1st grade to Deputy Commr's. ...	28	20	...	4	52	14	11	...	...	25	.	....	.	..	....
From Ex. Asst. Commr's. 2nd grade (Tseekays) to Depy. Commr's.	55	31	...	8	94	67	51	2	24	144	82	51	7	.	140
From Ex. Asst. Commr's 3rd grade (Myookes) to Depy. Commr's .	39	34	4	3	80	177	172	5	46	400	98	71	17	8	194
Second Appeals.															
To Commissioners of Divisions	11	4	2	3	20	4	20	12	6	42	15	3	3	1	22
Total	140	89	6	19	254	279	282	24	81	666	199	130	27	10	366

Percentage of appeals to suits and disposal thereof

21. The percentage of appeals to suits was 4.7: of these appeals 618 arising out of 18, 267 regular suits, or 48.0 were confirmed, 39.0 were reversed or modified, 4.4 were rejected, and 8.6 otherwise disposed of.

Disposal of Appeals from Subordinate Courts

22. The following table (5) shows the proportion, as regards percentage, in which appeals from the Subordinate officers to the Deputy Commissioners were dealt with. The return is not so satisfactory as regards appeals confirmed, compared with those otherwise disposed of, as it should be, and indicates a want of legal knowledge among some of the Judges of the lower grades.

No. 5.

	Divisions.	From Asst. Commissioner's Courts to Dy. Commissioner's Courts.	From Courts of Extra Asst. Comm'rs 1st class to D'y Comm'rs Courts.	From Courts of Extra Asst. Comm'rs 2nd class to D'y Commissioner's Courts.	From Courts of Extra Asst. Comm'rs to 3rd class D'y Commissioner's Courts.	Remarks.
Judgment confirmed including rejected cases	Arakan,	53.8	50.9	56.1	51.2	
	Pegu,	38.1	50 0	40.1	36.8	
	Tenasserim	36.3	...	62.2	48.7	
Modified or reversed,	Arakan,	...	36.3	31.6	40.5	
	Pegu,	51 0	39.3	29.6	34.8	
	Tenasserim	45.5	...	35 7	30.1	
Otherwise disposed of	Arakan,	7.7	7.3	8.2	3.5	
	Pegu,	9.1	...	14.0	9.2	
	Tenasserim	9.1	...	...	3.4	
Pending	Arakan,	38.5	5.5	4.1	4.8	
	Pegu,	1.8	10.7	16.3	19.2	
	Tenasserim	9.1	...	2.1	17.8	

Duration of Suits

23. The next statement exhibits the average duration of suits including appeals.

No. 6.

	Classification.	DISTRICT.																					
		Akyab.		Ramree.		Sandoway.		Rangoon.		Bassein.		Henzada.		Prome.		Toungoo.		Amherst.		Shwégyeen.		Tavoy.		Mergui.	
		M.	D.	M.	D.	M.	D.	M.	D.	M.	D.	M.	D.	M.	D.	M.	D.	M.	D.	M.	D.	M.	D.	M.	D.
Apeals Original Suits.	Deputy Comm'rs	...	58	...	4	...	17	...	40	..	86	..	209	..	12	...	11	...	79	...	6	...	36	...	16
	Deputy Commissioners,	...	.....		30	...	31	..	2 0	..	34	...	...	..	..	..	10	..	10	...	10	...	6	..	1
	Suptd't Hill Tribes N. A	...	63	...	...	...	...	...	...	...	...	...	...	...	...	..	..	...	...	...	...	..	..	..	..
	Cantonm't Magistrate,	...	.....		...	...	...	...	1	..	...	...	...	..	..	..	..	...	...	...	...	...	...	..	..
	Asst't Commissioners,	...	18	...	...	...	...	...	11	..	9	...	7	..	4	..	5	...	12	...	12	...	...	..	..
	Extra Asst. Commrs. 1st grade,	...	13	..	...	...	...	...	39	..	4	..	5	...	4	...	...	...	...	...	...	...	...	..	..
	do 2nd grade: Tseetkays,	...	9	...	21	...	7	...	...	...	0	...	6	...	2	..	5	...	...	...	8	...	14	..	7
	do 3rd grade: Myookes,	...	12	...	13	...	8	...	17	...	2	..	7	..	6	..	3	...	14	...	7	...	14	..	6
Miscellaneous Suits.	Deputy Commissioners,	...	26	...	9	...	5	...	5	...	1	...	3			...	1	..	25	..	2	...	1	..	1
	Supd't Hill Tribes, N. A	...	.....		...	...	...	...	...	..	...	...	...			...	...	..	..	..	..	...	..	...	..
	Asst. Commissioners,	...	8	...	...	...	...	...	16	...	1	...	2			..	2	...	17	..	1	...	..	...	..
	Extra Asst. Commrs. 1st grade,	...	3	...	...	...	...	..	20	..	1	...	1			...	...	...	...	...	...	...	...	...	...
	d o2nd grade: Tseetkays,	...	7	...	18	...	13	..	..	...	4	...	14			..	1	...	...	...	2	...	1	..	1
	do 3rd grade: Myookes,	...	11	...	12	...	15	...	12	..	7	...	40			...	1	...	...	...	2	..	1	..	3

Not given.

This return shews great diversity in all the Courts: the largest average is in the Courts of the Deputy Commissioner Rangoon, 210 days, and of the Deputy Commissioner of Mergui, 209 days; the next largest is in the Bassein Deputy Commissioner's Court, 86 days; the lowest average duration is in the District Court of Sandoway. Some diversity naturally occurs where the size of the Districts and amount of work are disproportionate, but this does not account for the delay in the work performed to the extent recorded.

The average duration of suits in the Courts of the Commissioners of division was as follows:—

No. 7.

Description of Suits.	Arakan.		Pegu.		Tenasserim.	
	Months.	Days.	Months.	Days.	Months.	Days.
Appeals	.....	11	1	14	1	8
Miscellaneous ...	.. ..	1	... .	4	....	1

The return calls for no special remarks.

No. 8.

Districts.	1866.		1867.	
	Months.	Days.	Months.	Days.
Akyab	1	12	1	28
Ramree	.....	9	.....	4
Sandoway	.....	8	.....	17
Rangoon	1	13	1	10
Bassein	1	20	2	26
Myanoung	2	28	6	29
Prome	.....	29	.....	.....
Toungoo	.....	4	...	11
Amherst	.....	18	2	19
Shwègeen	.....	12	.....	6
Tavoy	.....	20	1	6
Mergui	.....	12	.....	16

The average duration of Original Suits in the Deputy Commissioner's Courts was as follows :—

No. 9.

Districts.	1866.		1867.	
	Months.	Days.	Months.	Days.
Akyab	1	13	.....	.....
Ramree	. ...	...	1	.....
Sandoway	.....	.....	1	1
Rangoon	5	21	7	...
Bassein	3	2	1	4
Myanoung	.....	.....	.....	.....
Prome	.....	9	.....	... .
Toungoo	1	15	.....	10
Amherst	....	.....	.....	10
Shwègyeen	.....	5	.....	10
Tavoy	.....	9	.....	6
Mergui ..... .:...	.....	.....	.....	1

The average duration in Miscellaneous cases in the several Deputy Commissioner's Courts, was ; Akyab 26 days, Ramree 9 days, Sandoway 5 days, Rangoon 5 days, Bassein 1 day, Prome (not given), Myanoung 3 days, Toungoo 1 day, Amherst 25 days, Shwègyeen 2 days, Tavoy 1 day, Mergui 1 day.

Remarks on the Returns for the Arakan Division, the Commissioners Court

24. Coming to the divisional reports the returns of the Court of the Commissioner of Arakan shew two appeals pending. The delay in disposing of these is satisfactorily explained. They were

instituted in November, one was postponed at the request of the parties concerned, the other awaited the Commissioner's visit on Circuit to Kyouk Phyoo.

The Deputy Commissioner's Court

25. The Report of the Deputy Commissioner of Akyab shews 16 cases pending; the delay is clearly attributable to the illness of the Deputy Commissioner. In the Courts of the other Deputy Commissioners of that division, no cases were brought forward as pending.

Diminution of cases in the Arakan Division

26. There was a decrease of 472 in the number of suits instituted, and appeals preferred. There were no regular appeals in the Court of the Commissioner of the Division, but there were 22 second appeals, being one more than last year.

In the Akyab District there was a decrease of 352 suits: this is considerable, and is not satisfactorily accounted for, either by the Deputy Commissioner or by the Commissioner. The former appears to attribute the diminution to the action of the Stamp Act, and the latter to the partial slackness of trade. The Commissioner notices the large decrease in the Mengbra township, and has called for a Report as to the efficiency of the Native Judge. In the Ramree District the decrease is 99 regular suits, and 2 appeals. The Deputy Commissioner accounts for the diminution in the former, by the decrease in the population, and for that in the latter, by the cases in the Subordinate Courts being more regularly tried, but neither of these reasons are altogether conclusive.

Report from Deputy Commissioner Sandoway

27 The Sandoway District returns shew great carelessness in the manner in which they have been prepared; and the way in which the whole Report has been sent up is not creditable to the Deputy Commissioner, Captain Pemberton; some passages being perfectly unintelligible. The Commissioner of the Division will be addressed on the subject.

The average value of appeals in the Sandoway District is stated to be Rs. 60; and of original suits Rs. 35: this indicates the poverty of the inhabitants.

Cases disposed of by Supdt of Hill Tribes

28 The Superintendent of Hill Tribes disposed of 4 cases. It is something to get the semi barbarians over whom he rules to resort to our Courts, instead of deciding their differences in a more summary manner.

Of Miscellaneous Suits

29. There are some remarks, in the Report of the Commissioner of Arakan, on the number of Miscellaneous cases entered in Returns of his Court, as compared with those in the Reports of the other Divisions. The Miscellaneous cases in the 3 Provincial Courts in 1866 and in 1867 was as follows:—

Courts.	1866.	1867.
Arakan	14	2
Pegu	87	89
Tenasserim	109	135

The wide difference, certainly does imply diversity of practise. It is observed that in the Provincial Court of Arakan, "it is the practise to enter as Miscellaneous suits or cases only such as fall within the scope of Section 22 of Act XIX of 1863, and appeals from orders not of the nature of decrees." As similarity of practise is desirable the matter will be enquired into.

Disposal of Second Appeals

30. Of the 22 second appeals from the decisions of Deputy Commissioners on appeal cases before them, only 4 were reversed or modified, which is satisfactory.

Extra Assistant Commissioner's 1st class

31. Of the Extra Assistant Commissioners first class, the Commissioner reports that "it is stated that Extra Assistant Commissioner Moung Kalar is not very bright, and his working days are over," yet of the 13 appeals preferred from his decisions only 2 were reversed, which is very good.

Extra Assistant Commissioners 2nd class

The Commissioner reports the work performed by the Extra Assistant Commissioners 2nd class as being satisfactory. These officers passed decisions in 465 cases, from which 98 appeals were preferred, of those 55 were confirmed, 31 reversed or modified, 8 were otherwise settled, and 4 were pending at the end of the year. Moung Shwè Dyke is especially well reported on.

Extra Assistant Commissioners 3rd Class

In remarking on the remaining subordinate native Judges the Commissioner states that Moung Hnin, Myooke of Oorectoung is not well up to his work. Regarding the dismissal during the year of one of them, Moung Kyau Tsan, the Commissioner writes, that no reason is shown why this officer had not a second opportunity of passing. As a rule, a second opportunity of passing should be given.

Duration of Appeals

32. The average duration of appeals in the Provincial Court of Arakan was 7 days; a considerable improvement over the previous year, when the average was 24 days. They were however all second appeals, and few in number.

In the Court of the Deputy Commissioner of Akyab there was a considerable falling off in the average duration of appeals, but a slight improvement in the duration of original suits. The other Districts in this Division are small and with light work, and the duration of cases in their Courts calls for no particular remarks.

Stamps

33. The cost of stamps is stated by the Commissioner to be nearly five per cent on the value of the suits, and the total law costs are given as $8\frac{1}{6}$ per cent. The Deputy Commissioner of Akyab has omitted to report on stamps.

Execution of decrees

34. The only Returns as to Execution of decrees, which, it appears were sent in, were for the Head Quarter District and these are not altogether satisfactory.

Arbitration

35. No returns regarding the recourse had to arbitration have been submitted The late period of the year at which the orders on this subject reached out stations probably accounts for the omission; but this is a very important point and full details will be exacted in next year's Report.

36. As regards the Records more definite information should be given than that "*the Records of the Courts are believed to be properly arranged.*" Strict inspection of the Records is necessary.

Decisions of D C Sandoway in Appellate cases

37. The attention of the Commissioner will be called to some remarks on the decisions given in appellate suits, embodied in the Report of the Deputy Commissioner of Sandoway.

Pegu Division.

38. The Commissioner, whilst admitting that there is a large decrease in the number of suits and appeals instituted, and such a diminution in the number disposed of that there was an increase of pending cases of every description, has not entered into a sufficiently detailed explanation of the causes of this falling off in the work performed by the judicial officers subordinate to him.

Improvement in the percentage of appeals in which the decisions of the lower Courts were upheld

39. The Commissioner notices that in 1866 the percentage of appeals, which were either rejected, or in which the decisions of the lower Courts were upheld, was 40.24 whilst in 1867 it was nearly 46, showing a slight improvement.

Delay in the decision of Appeals

40. The average duration of appellate suits in the Court of the Deputy Commissioner Bassein was 86 days. This is not creditable to Mr. Beddy, nor can the reasons advanced for the delay, viz. his being out in the District, be accepted as satisfactory.

Regarding the delay in communicating with the interior

of the Bassein district, of which the Deputy Commissioner complains, the Commissioner has made no report of any kind.

As regards the delay in the disposal of Appeals in the Myanoung district, the duration of which was 209 days, the Deputy Commissioner complains of heavy criminal work and observes, "while I feel that the long delay in "granting justice to suitors shown above must be injurious "to the welfare of the district generally, I cannot take any "blame to myself in the matter."

This officer had no original suits. He decided 85 appeals, and 15 miscellaneous cases in 10 months. The Criminal work of the heaviness of which he complains was as follows,

Persons	Committed	3
"	Convicted	168
"	Acquitted	67
"	Complaint withdrawn	20
		258

involving the examination of 871 witnesses in 150 cases. The Criminal appeals were 22 in number. Some of the Criminal cases were heavy dacoity cases, but the Chief Commissioner considers that there is not sufficient excuse for the great delay in the disposal of Civil appeals and the Commissioner will be requested to warn Major Hildebrand to be more expeditious.

It is observed in the Report of the Deputy Commissioner of Myanoung that he carries his report into the year 1868, which he should not do. The matters noticed in reports should obviously be confined to those which occurred doing the years reported on.

Costs of Suits

41. The Commissioner reports that the percentage on the value of suits litigated in the year under review, was 8.54 for stamps, the total Costs being 13.28 per cent. In the

previous year it was 12.33 per cent. The increase is attributable to the enhanced rate of Stamp duty.

Translations of Schedules A and B of Stamp Act

42. The translations of Schedules A. and B. of the Stamp Act, and the suspension of them in the Offices of all stamp vendors to enable the people to know what the scales are, ordered by the Commissioner f Pegu, was approved, and each Commissioner was directed to carry out the same plan in his Division.

Report of the Deputy Commissioners defective

43. The Chief Commissioner notices the remarks that the reports of the Deputy Commissioners are defective: this has apparently reference to the absence of reports on Arbitration The Chief Commissioner trusts that he will not again have to call attention to the absence of information called for.

Duration of Original Suits

44 The duration of original suits is given as follows in days.

No. 10.

District	Deputy Commissioners.	Asst't Commissioners.	Extra Asst't Commissioners, 1st grade.	Extra Asst't Commissioners, 2nd grade.	Extra Asst't Commissioners, 3rd grade
Rangoon Cantonment, .	1	..	..		..
Do District,	210	11	39		17
Bassein do	34	9	4	10	2
Myanoung do .. .		7	5	6	7
Prome do ...		4	4	2	6
Toungoo do	10	5		5	3

Explanation of delay

45. The delay noticeable in disposing of Original suits in the Deputy Commissioner's Courts occurred chiefly in Rangoon. There were only 3 cases on the file; the delay has been explained satisfactorily.

The delay in the Bassein Deputy Commissioners Court

where there was only one case on the file, was the next longest. The delay in this case arose from the application of Plaintiff for adjournment.

Disposal of Appellate cases

46. The disposal of Appeals in the Court of the Commissioner of Pegu presents a singular difference as compared with that of the previous year. In 1866 the percentage of suits decided in favor of the Respondents, or rejected, was 67.39, in 1867 it was 39.53.

Appeals chiefly 2nd Appeals

47. Only one appeal was preferred from the decrees of the district Courts in Pegu, but the second appeals numbered 35. This is explained as arising from second appeals being cognizable for any amount, whereas appeals from Deputy Commissioners Courts must be for suits of Rs. 5,000 and upwards in value.

Registration of Deeds.

48 As regards the Registration of Deeds, the Assistant and Extra Assistant Commissioners at each town are the Registrars. Their registers are reported as kept up. The following statement shews the number of Deeds registered.

No 11.

Town.	1866	1867
Rangoon.	771	1,076
Bassien	56	27
Myanoung.	71	68
Prome.	108	152
Toungoo.	43	69
Total.	1,049	1,392

The natives would seem to be slowly appreciating the security the registration of written deeds affords.

Execution of Decrees

49. The following is a Return shewing the number of decrees which have executed and their particulars.

No. 12.

Districts.	No. of applications for execution including Pending last year.	No. of Decrees completely executed.	No. of decrees partially executed.	Pending at end of year	No. of cases in which specific performance was enforced.	Sales of real property.	Sales of personal property	Sequestration of real property.	Imprisonment
Rangoon, ...	340	238	..	2	.....	185	20		33
Bassein, ...	256	115	97	8	.	198	20		6
Myanoung, ..	356	288	73	.....	.. ..	34	267	40	15
Prome, no report.									
Toungoo, ...	268	233	12	23	13	88	59	...	13

In calculating the average duration of suits, the Deputy Commissioner of Prome in his Report appears to have mixed up Regular and Miscellaneous cases together, it is advisable to keep separate the two classes of suits. In the Report from this District, and in some others, the paras. have not been numbered; a very inconvenient omission.

In the Toungoo District there was a considerable increase in the value of Suits, amounting to nearly 80,000 Rupees: with this increase and the institution of the new Stamp Act, there should have been an increase of Revenue, yet there was a falling off of Stamp duty of Rs. 558, which is unexplained by the Commissioner. It is also noted by the Deputy Commissioner, that the average cost of obtaining Justice, decreased in each suit 11 ¼ annas; the percentage is not stated, nor the reason of the decrease accounted for.

Tenasserim Division.

50. The chief noticeable point in the Civil returns is the small comparative number of decisions from the lower Courts confirmed on appeal. The subordinate native judicial officers evidently require more training.

Too many decisions upset on appeal from Lower Courts in the Tenasserim division

51. The average duration of cases except in the Court of the Deputy Commissioner of Amherst, (and for which the present Deputy Commissioner is not responsible) varies from 1 to 17 days; the greatest delay being in the Court of the Assistant Commissioner of Amherst.

Average duration of suits.

52. The Commissioner has omitted to notice the Registration of Deeds, execution of Decrees, and Arbitration of suits; his attention will be called to this.

Omissions in the Commissioner's report.

53. The delay noticed by the Deputy Commissioner of Amherst in the decision of certain cases is not creditable to the Officers before whom the cases were tried. In the case which was commenced in 1862, and was not finally disposed of until 1868, the chief blame appears to be due to the Officer who allowed the original Court to take from 3rd November 1863 to 17th January 1866 to review its judgment. This will be further inquired into.

On the remarks of the Deputy Commissioner of Amherst regarding the delay in certain cases.

54. The only observations quotable from the reports of the Deputy Commissioners of Tavoy and Mergui are that the proportion of suits to the supposed population is 1 to 104 souls, and the percentage of costs on the value of suits 16 per cent in Tavoy; in Mergui which is the next district, 6 per cent.

Remarks by Deputy Commissioners of Tavoy and Mergui.

55. The other district returns on Civil Justice contain no matter calling for remark.

The other district returns call for no remarks.

56. The following tables show the cases which were brought before the Chief Court, and how they were disposed of.

No. 13.

Statement of Suits of every description instituted, disposed of and pending during 1867 *in the Chief Court of the Province.*

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
	No. of cases pending at the close of the year 1866.				No. of cases instituted during the year 1867.				No. of cases disposed of during the year 1867.				No. of cases pending at the close of the year 1867.			
	Appeals.	Special Appeals.	Miscellaneous cases.	Total.	Appeals.	Special Appeals.	Miscellaneous cases.	Total.	Appeals.	Special Appeals.	Miscellaneous cases.	Total.	Appeals.	Special Appeals.	Miscellaneous cases.	Total.
Chief Commr's. Court.	...	10	1	11	...	19	57	76	...	26	58	84	...	3	...	3

No. 14.

Nature of Special appeals as entered in column 7 of foregoing statement.

Nature of Suits.	Appeals.	Special appeals.
I. Suits connected with Immoveable Property.		
1. Houses	.....	.....
2. Lands	.....	12
3. Mortgage	.....	.....
4. Fisheries	.....	.....
5. Inheritance	.....	1
6. Other cases	.....	1
II. Suits not connected with immoveable Property.		
1. Debt	.....	2
2. Damages for breach of Contract or loss or injury to property	.....	.....
3. Damages for personal injury or wrong	.....	.....
4. Marriage or divorce	.....	1
5. Inheritance	.....	.....
6. Other cases	.....	2
		19

No. 15.

Statement shewing what orders were given in the cases disposed of as entered in columns 10 *to* 18 *of Statement No.*

Description of Suits.	In what Court.	Rejected.	Decided on trial.		Decreed *exparte*	Compromised.	Withdrawn or dismissed in default.	Transferred.	Total.
			In favor of appellant or plaintiff.	In favor of Respondent or defendant.					
Appeal Suits.	Chief Commissioner's Court	.....	.....	.....	...	...	.....	...	...
Special Appeal Suits.	Chief Commissioner's Court	8	.....	15	..	.	3	...	26
Miscellaneous Suits.	Chief Commissioner's Court	3	13	39	..	..	1	2	58
	TOTAL ...	11	13	54	..	...	4	2	84

No. 16.

Average duration of Suits, &c., in the Court of the Chief Commissioner of British Burma, the amount value in litigation, with value of Stamps filed and costs of every description.

Description of Suits.	In what Court.	Longest period any case on the file at the close of the year 1867 has been pending.		Average duration of Suits disposed of during the year 1867.		Total amount of value of suits instituted during the year 1867.			Value of stamps on law papers filed during the year 1867.			Cost of every description inclusive of stamps and Pleaders fees, incurred by parties in suits disposed of during the year 1867.		
		Mth.	Ds.	Mth.	Ds.	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.
Original, ...	Chief Comm'rs Court, ..	....	.....	.....	.....	.. .. ..	...		.....	...	...	.....	. . .	..
Special Appeal cases, ...	Chief Commissioner's Court, ...	1	18	3	15	4928	6	3	314	...	..	545	13	4
Miscellaneous cases, ...	Chief Commissioner's Court, ...	.....	....	.....	10	.. .. ..	....		93	....	...	95	....	..
	Total, ...	....	.....	.....	.....	4928	6	3	407	...	...	640	13	4

DISTRICT and DIVISIONAL

REPORTS.

ARAKAN DIVISION.

No. 10 of 1868.

From

Lieut. Colonel J. F. J. STEVENSON,

COMMISSIONER OF ARAKAN.

To

THE SECRETARY to the CHIEF COMMISSIONER,

OF BRITISH BURMA

RANGOON.

Dated Akyab, the 13th February 1868.

Judicial.

Sir,

I have the honor to submit my Report on the Administration of Civil Justice in the Arakan Division for the year 1867, accompanied by the Statements noted in the margin.

No. I. Statement of suits instituted, disposed of, and pending.
" II. Statement of classification of Appeals and original suits instituted.
" III. Detail of suits disposed of.
" IV. Supplementary Return showing duration of Suits and costs.
" A. Statement of average duration of suits.
" B. Statement showing result of Appeals and second appeals.
" C. Statement showing the result of appeals and second appeals from each grade of Court.
" D. Statement showing the duration of Civil cases in each grade of Court
" E. Statement showing the proportion of appeals from each grade of Court disposed of
" F. Detail Statement of Miscellaneous Cases instituted and disposed of
District Reports in Original

Section II.

2. The following was the state of the Regular files on the 1st January 1867, and 1st January 1868.

		1867.	1868.
	Commissioner's Court, ...	.....	2
Akyab, ...	Deputy Commissioner's Court, ..	12	16
	Ass't Commissioner's Court, ...	3	.....
	Akyab E. A. Comm's Court, ..	2	12
	Naaf Do.	2	5
	Koladan Do.	.....	1
	Tseit Kay's Court, ...	4	8
	5 Myookes, ...	10	10
	Total, ...	38	52
Ramree, ...	Deputy Commissioner's Court,...	.....	... ..
	Tseit Kay's Court, ...	3	.....
	3 Myookes	.....	1
	Total, ...	3	1
Sandoway, . .	Deputy Commissioner's Court, ..	4	.....
	Tseit Kay's Court,.....	1	.....
	2 Myookes, ...	1	.....
	Total, ..	6	.....
Northern Arakan	Hill Tribe Supdt's Court, ...	.....	
	Total, . . .	...	
	Grand Total, ..	42	55
	Increase, ...	..	13
	Decrease, ...		...

I. Showing an increase of 13 cases.

II. There were two Appeals pending in the Court of the Commissioner of Arakan at the close of the year. These cases were instituted in November. One in which

the parties were European Merchants was postponed with the consent of the Parties till 4th January to give the Appellants, (absent in Calcutta on the day fixed) the opportunity of appearing in person which they solicited. The other an Appeal from Ramree was fixed for hearing at Kyouk Phyoo upon the Commissioner's next visit to that station

III. In the Akyab District there was on the whole an increase of 19 cases, viz: 15 suits and 4 Appeals in the number pending, attributed by the Deputy Commissioner of the District to his illness about the close of the year, and to Mr. Assistant Commissioner Lloyd having taken his seat in a vacant Court also about the same time.

Akyab District

IV. In this District there was but one suit pending which is an improvement on the file of the last year of 2 cases.

Ramree District

V. In this District there were none pending.

Sandoway District

VI. And there were no cases pending in the Court of the Superintendent of Hill Tribes at the close of the year.

Northern Arakan

3. The number of suits and appeals instituted during the past 2 years was as below shown.

		1866.	1867.
Commissioner's Court,		21	22
AKYAB,	Deputy Commissioner's Court,	136	135
	Assistant ditto.	81	72
	Akyab E. A. Commr's Court,	494	308
	Naaf ditto.	203	217
	Koladan ditto.	94	102
	Tseit Kay's Court,	376	388
	5 Myookes,	871	681
	Total,	2255	1903

Ramree	Deputy Commissioner's Court,	75	55
	Tseit Kay's Court,	211	203
	3 Myo kes,	529	437
	Total,	815	695
Sandoway,	Deputy Commissioner's Court,	66	46
	Tseit Kay's Court,	246	67
	2 Myookes,	202	296
	Total,	514	509
Northern Arakan, Hill Tribe Supdt.'s Court,			4
	Total,		4
	Grand Total,	3605	3138
	Increase Decrease,	.....	742

I. This shews a decrease of 472 in the number of Appeals and suits instituted.

II. In the Commissioner's Court there was an increase of 1 second appeal. There were no Regular Appeals.

III. In this District there was a decrease of 352 suits instituted during the year under review but the number of Appeals instituted, was the same as those of the year 1866. The Deputy Commissioner of Akyab remarks, "The decrease "o suits is in all the Courts but the Naaf, Koladan, Tsee- "kay's and Rathaidoung; in Mingbya it is very large; it is "possible that the increase of Stamp duty required, may "have stopped Petty litigation, but in appeals it has made "no difference." Akyab District

From the litt'e I know of this Division I cannot state whether it is likely that there was any other cause for this decrease. The enhanced stamp duties may have been the sole cause, but the slight depression of trade during the year, which necessarily reduced the quantity of dealings and transactions generally, may also have had some effect. It is to be observed that the decrease was partial. In some

of the Courts there was an increase. In the Naaf subdivision the proximity of Chittagong seems to be the cause of a steady growth of business transactions and dealings. The large decrease in the Extra Assistant Commissioner's Court Akyab which is practically the principal Court of 1st instance in the Town, is I believe, in a great measure owing to the slackness of trade. In Mingbya Township the extraordinary falling off of about one half must be I think partly owing to the native Judge being inexperienced and not very efficient, whose justice may not be much in request. The Deputy Commissioner will be instructed to look more closely into this matter and report. All the Courts in which a decrease has occurred may have been affected by the depression of trade above adverted to. The instances of increase are insignificant, and are not noticeable except as contrasted with the general decrease. Increase of population is doubtless a natural cause of the increase of the business of Courts, but here we have large decreases, only partly accounted for by a falling-off of trade, with a fair growth of population.

Ramree District

IV. In this District there was a decrease of 99 suits and 21 Appeals during the year under review. The great number of decrease in suits is in the Courts of the Ramree and Cheduba Myookes, and which the Deputy Commissioner says, "is "supposed to be owing to many people having left the "jurisdiction of those Courts." There has been a general decline of population in this District. Regarding the Appeals the Deputy Commissioner's says, "The Decrease in "appeals in Deputy Commissioner's Court speak well for "the decisions and conduct of cases in the Subordinate "Courts in the District." I concur in Capt. Plant's remarks which are always careful and well considered.

Sandoway District

V. In this District there was a decrease of 20 suits and appeals in the Deputy Commissioner's Court, a decrease of 79 suits in the Tseekay's Court, and an increaseof 94 cases in the Myookes Courts. The Deputy Commissioner has not explained the cause under this head or table, but he has done so further on in the para: which I have marked in red ink (*see page* 36 para: 4.)

4. The whole of this Table "no: of suits and appeals instituted" is incorrect, and shows a total increase of 217 cases instead of a total decrease of 5 cases. This I find is because the Deputy Commissioner has erreneously included Miscellaneous cases here. His explanation of increases and decreases will now be given verbation.

"This I believe to be in great measure, a consequence "of the high prices of 1866.

"In the Tseit Kay's Jurisdiction transactions for "money are more frequent, and the cases were decided "in 1866, but in 1867 after harvest, more cases were in- "stituted in the remote parts of the District for Paddy, "for which advances had been received by the cultivators "in 1866, the increase in the number of original suits for "debt was 63, and of appeals in suits of the same sort 3 "suits.

"There is a very large decrease in the number of suits "for land, amounting to 40 original suits, and 12 appeals "This is due to various causes, first, with time the Act of "limitation has become better known and fewer suits are "instituted, which would be barred under that Act, and "the difference in t e functions of the Revenue and Civil "suits in regard to granting new lands, more especially "those formed in the streams by alluvial deposit are more "defined, and again, the last two monsoons not having "caused the rivers to overflow, fewer new deposits have "been formed."

There are some clerical errors which obscure the meaning of these remarks, but all the alleged causes of difference which I can clearly understand, are in my opinion sufficient to account for such difference.

VI. The Court of the Superintendent of Hill Tribes Northern Arakan was formed on 17th November 1866. There were only 4 Civil suits instituted during the past year, which call for no particular remark.

Northern Arakan

4th. The number of suits and appeals decided on trial and finally disposed of, during the year 1866 and 1867 is given in the following table.

		1866.		1867.	
		Decided on trial.	Finally disposed of	Decided on trial.	Finally disposed of
	Commissioner's Court, ...	18	21	15	20
AKYAB,	Deputy Commr's Court, ...	122	146	123	131
	Assistant Do.	61	78	55	75
	Akyab E. A. Commr's Court,	245	493	162	298
	Naaf Do.	77	216	85	214
	Koladan, Do.	48	94	51	101
	Tseekay's Court, ...	202	376	218	384
	5 Myookes, ...	481	865	360	681
	Total, ...	1,236	2,268	1,054	1,884
RAMREE,	Deputy Commr's Court, ...	75	75	48	55
	Tseekay's Court, ...	121	208	114	206
	3 Myookes, ...	256	532	179	436
	Total, ...	452	815	341	697
SANDOWAY,	Deputy Commr's Court, ..	60	62	45	50
	Tseekay's Court, ...	187	247	133	168
	2 Myookes, ...	126	202	219	297
	Total	373	511	397	515
NORTHERN ARAKAN.	Hill Tribes, Supdt's Court,...	.....	.....	1	4
	Total, ...	....	... .	1	4
	Grand Total, ...	2,079	3,615	1808	3120
	Increase, ...	.....	.	.....	.....
	Decrease, ...	.....	....	271	495

I. The above shows a decrease of 271 cases decided on trial and of 495 finally disposed of during the year. The pending Files being in a satisfactory condition the above

Table does not appear to call for particular remark, the increases and decreases of cases having already been commented on.

II. In the Court of the Commissioner it will be seen that there was a small decrease both in the number of Appeals decided on trial, and in those finally disposed of. Civil 2nd Appeals do not appear to be numerous in Arakan. But as I shall have occasion to observe in my Criminal Report, it is distinguished by its Criminal appeals (There were 90 in 1866: and in Pegu and Tenasserim together only 70.)

Akyab District

III. In this District there were 182 Suits and Appeals disposed of on trial less than in 18 6, there was also a decrease of 384 cases finally disposed of.

Ramree District

IV. The return shows a decrease of 111 cases in the number decided on trial, and a decrease of 118 cases in the number finally disposed of, which the Deputy Commissioner attributed to decrease of cases instituted.

Sandoway District

V. In this District there was an increase of 24 cases in the number decided on trial, and of 4 finally disposed of.

Northern Arakan

VI. There was one case decided on trial out of the 4 casess disposed of in the Court of the Superintendent of Hill Tribes.

5. The state of the Tribes as regards suits and appeals pending above one year on the 1st January 1867, and 1st January 1868 is, I am happy to say blank for both years.

6. The state of the Miscellaneous files was as follows:—

		1867.	1868.
Commissioner's Court, ...		...	...
Deputy Commissioner's Court,		5	2
Assistant	ditto	...	....
Akyab E. Assistant	ditto	3	6
AKYAB, ... Naaf	ditto	5	3
Koladan,	ditto	..	....
Tseekay's Court,		5	4
5 Myookes,		1	..
Total,		19	15
RAMREE, ... Deputy Commissioner's Court,		...	....
Tseekay's Court,		...	....
3 Myookes,		...	.....
Total,		.....	.....
SANDOWAY, ... Deputy Commissioner's Court,		.....	.....
Tseekay's Court,		2	.....
2 Myookes,		...	.....
Total,		2	.....
NORTHERN ARAKAN, [Hill Tribes Supt's Court,		...	.....
Total,		.....	.....
Grand Total,		21	15
Increase,		...	.....
Decrease		...	6

I. The above shows a decrease in the No. pending on the last mentioned date of 6 cases.

II. There were no cases pending in the Court of the Commissioner; there were none pending in any Court in the District of Ramree and Sandoway.

III. In the Courts of the District of Akyab 15 cases were pending, which is a decrease in the number pending on the last mentioned date of 4 cases.

7. The following statement shows the number of Miscellaneous cases instituted and disposed of in the year 1866 and 1867, as also the number of cases of above one year's standing at the close of these years respectively, comparing the number of Miscellaneous cases in this Division with the numbers in Pegu and Tenasserim, it appears that there must be diversity of practice in classifying these cases in

the three Courts. The same description of cases can hardly be shewn under this head: cases of a kind not so classed here must I think, be included in the Returns of the other Divisions, otherwise there could hardly be about 90 in each of those, and only 14 here 1866. (This year there are only 2 in Arakan.)

		Instituted.	Disposed of by an order on their merit	Finally disposed of.	Pending above one year.
1866.	Commissioner's Court, ...	14	9	14	.....
	AKYAB, ... Deputy Commissioner's Court, ...	58	37	56	.....
	Assistant Commissioner's do ...	39	33	38	.....
	Akyab Ex: Asst. Comr's do ...	190	188	188	.....
	Naaf do do ...	65	29	60	.....
	Koladan, do do ...	18	4	18	.....
	Tseet Kay's Court, ...	553	226	554	.....
	5 Myookes, ...	183	149	185	.....
	Total, ...	1,106	666	1,099	.....
	RAMREE, ... Deputy Commissioner's Court, ...	36	29	36	.....
	Tseetkay's Court, ...	89	67	89	.....
	5 Myookes, ...	202	140	202	.....
	Total, ...	327	236	327	.....
	SANDOWAY, ... Deputy Commissioner's Court, ...	2	2	2	.....
	Tseet Kay's Court, ...	118	114	118	.....
	2 Myookes, ...	27	25	27	.....
	Total, ...	147	141	147	.....
	Grand Total, ...	1594	1,052	1,587	.....
1867.	Commissioner's Court, ...	2	1	2	.....
	AKYAB, ... Deputy Commissioner's Court, ...	40	38	43	.....
	Assistant ,, do ...	60	29	60	.....
	Akyab Ex: Asst. Comr's do ...	157	154	154	.....
	Naaf do do ...	182	71	184	.....
	Koladam do do ...	42	26	42	.....
	Tseet Kay's Court, do ...	504	199	505	.....
	5 Myookes, ...	145	121	146	.....
	Total, ...	1,130	638	1,134	.....
	RAMREE, ... Deputy Commissioner's Court, ...	5	4	5	.....
	Tseet Kay's Court, ...	171	137	171	.....
	3 Myookes, ...	176	127	176	.....
	Total, ...	352	268	352	.....
	SANDOWAY, Deputy Commissioner's Court, ...	16	12	16	.....
	Tseet Kay's Court, ...	133	135	135	.....
	2 Myookes, ...	74	71	74	.....
	Total, ...	223	218	225	.....
	NORTHERN ARAKAN. Hill Tribes Superintendent's Court, ...	.....	.....	.....	.....
	Grand Total, ...	1707	1125	1718	.....
	Increase, ...	113	72	126	.....
	Decrease, ...	.....	.....	.....	.....

I. The above return shows an increase under all the heads. There was an increase of 113 in the number of cases instituted, of 73 disposed of by an order on their merits, and of 126 finally disposed of. There were no cases pending above one year.

II. In the Commissioner's Court there was a decrease in th number of Institutions of from 14 to 2 cases, and a like decrease in the other Columns. I beg here to bring to notice that it is the practice in this Court to enter as Miscellaneous suits or cases only such as fall within the scope of Section XXII of Act I 1863, and Appeals from orders not of the nature of Decrees.

III. In this District there was an increase in the number of suits instituted of 24, and of 35 finally disposed of, but there was a decrease of 28 cases in the number disposed of on their merits.

Akyab District

IV. In this District there was an increase under all heads of 25, 32, and 25 explained by the Deputy Commissioner as follows: "Chiefly owing to Judgment creditors suing out decrees, "for out of 352 cases finally disposed of, 172 cases or 48. "8 per cent were for execution of decree; besides which "20 cases, objections to attachment of property in execu- "tion of Decree."

Ramree District

V. In this District there was also an increase under all heads of 76, 77 and 78. The increase occurred in all the Courts The Deputy Commissioner says, "This is also to be attributed "to the high prices of 1866, many decrees which would "have been useless to enforce in that year were necessa- "rily postponed until money was less scarce."

Sandoway District

8. Colonel G. Verner was Commissioner from 1st January to 9th April.

Lieut. Col. E. M Ryan was Offg. Commissioner from 10th April to 17th December.

Lieut. Colonel J. F. J. Stevenson, assumed charge of the Division on the 17th December.

The following statement shows the Appeals tried by the above named Officers.

Name and Official designation.	Second Appeal		Regular Appeal.		Miscellaneous Appeals	
	Decided on trial.	Finally disposed of.	Decided on trial.	Finally disposed of.	Decided on trial.	Finally disposed of
Col. G Verner, Commissioner,	5	9	..	.		1
Colonel E M. Ryan, Offg Commissioner,	10	11	.		1	1
Colonel J. F. J. Stevenson, Commissioner,						

There were 2 Appeals pending at the close of the year, which is explained in the second para. of this report.

9. The result of Regular Appeals, and of second Appeals disposed of by the Commissioner, and the number preferred from the decisions of the Deputy Commissioners are given below.

Name and Official Designation	Regular Appeals.						Second Appeals.					
	For trial in 1867.	Confirmed.	Reversed or modified	Rejected.	Struck off the file	Remaining	For trial in 1867	Confirmed	Reversed or modified.	Rejected.	Struck off the file	Remaining.
AKYAB.												
Lt Col E J Spilsbury, D'y Commissioner,			. . .				9	4	3	1	.	1
RAMREE.												
Captain C. E Watson, D'y Commissioner,	.		.....	.....		.	7	3	1	1	2	
W DeCourcy Ireland, Esqr Offg Dy. Commissioner,		.	,,,..		..	.	2	1	....	.		1
SANDOWAY												
Captain W W Pemberton, D'y Commissioner,			.....				4	3			1	

I. From the above it will be observed that there were no Regular Appeals preferred in the Court of the Commissioner during the year under review.

II. There were 22 second Appeals from orders passed by the Deputy Commissioners; of these in 4 instances only were the orders of the Lower Appellate Courts reversed or modified.

Akyab District

III. There were 9 second Appeals from the orders of Lieut. Col. Spilsbury Deputy Commissioner of Akyab; 1 was reversed, and 2 remanded for retrial.

Ramree District

IV. There were 7 second Appeals from the orders of Captain Watson; 3 were confirmed, 1 reversed, 1 rejected, and 2 otherwise disposed of.

There were 2 second Appeals from the orders of Mr. Ireland who succeeded Captain Watson on 1st September: one was confirmed, and one remained at the close of the year.

Sandoway District.

V. There were 4 second Appeals from the orders of Captain Pemberton, Deputy Commissioner of Sandoway, 3 were cconfirmed, and 1 otherwise disposed of. The result of all these 2nd Appeals is creditable to all the Officers concerned.

10. The following named Officers were the Deputy Commissioners and Superintendent of Hill Tribes in charge of the Districts in the Division during the year under review.

Akyab District.

Lieut. Col. E. J. Spilsbury was Deputy Commissioner throughout the year.

Ramree District

Captain C. E. Watson Deputy Commissioner from 1st January to 31st August

Mr. W. DeCourcy Ireland Offig. Deputy Commissioner from 1st September to end of the year.

Sandoway District. Captain W. W. Pemberton was Deputy Commissioner throughout the year.

Northern Arakan. Mr J. C. Davis was Superintendent of Hill Tribes Northern Arakan throughout, but absent on leave from 3rd May to 20th July during which time Major Spilsbury officiated for him.

11. The following Statement shows the work done by each of the above named Officers of the Districts in the Division during the year under review.

Names and Official Designation.	Appeals.				Original.			
	Regular.		Miscellaneous.		Regular.		Miscellaneous.	
	Decided on trial.	Finally disposed of.	Decided on trial.	Finally disposed of.	Decided on trial.	Finally disposed of.	Decided on trial.	Finally disposed of.
Akyab District.								
Lt.Col. E. J. Spilsbury, Deputy Commissioner	123	131	6	6	...	.....	32	37
Ramree District.								
Captain Watson, Dy. Comr....	37	39	1	2	1	1	1	1
Mr. Ireland Offig. ditto ..	10	15	1	1	...	.....	1	1
Sandoway District.								
Captain W. W. Pemberton, Deputy Commissioner, ..	44	49	..	.....	1	1	12	16
Northern Arakan.								
Mr. Davis, Superintendant of Hill Tribes, ...	...	....	...	.....	1	4	....	.....
Total, ...	214	234	8	9	3	6	46	55

I. Lt Col. Spilsbury was thus reported on by Colonel Verner last year. "Major Spilsbury is an intelligent hard working officer." I having had charge of the Division for only a fortnight at the close of the year have nothing to add From all the cases, appeals, Regular and Miscellaneous disposed of by him during the year, only 9 appeals were preferred against his orders to this Court, of which but one was reversed, and 2 were remanded for re-trial; a fair result.

Lt. Col. Spilsbury says, "Mr. J. Hind being dangerously " ill was allowed privilege leave for three months from " 14th July, on the understanding that Mr. Ireland the " Magistrate would take up the Civil duties, but that " Officer was transferred to Kyouk Phyoo in consequence " of which, Mr. Hind's duties in addition to my own " devolved on me from the 14th July to the 10th October " the date of his return and for 29 days also I was doing ' Magistrate's duty in addition, and necessarily during that " time I could devote but very little time to appeals."

II. Captain Watson was Deputy Commissioner of Ramree up to 31st August. 7 appeals only from his orders were preferred to this Court, out of them 1 only was reversed. Captain Watson is known to me as a very good Judicial Officer, patient and painstaking and well acquainted with his duties.

III. Mr. Ireland was the Deputy Commissioner from 1st September to end of the year. 2 appeals were preferred from his orders, one of which was confirmed and the other remained pending. Mr. Ireland is well known to me as a very good Judicial Officer in every respect.

IV. Captain Pemberton conducted his duties as Civil Judge throughout the year. 4 appeals only were preferred to this Court which were all confirmed, a very good result. I am obliged to refer to Colonel Verner's opinion of this Officer, not having had personal experience myself. The following are Colonel Verner's remarks: "I have been " satisfied with the way he has conducted his duties and " with a little more experience, will, I have no doubt be a " very good Civil Officer."

V. I have to report that every opportunity is taken by this Court to point out all errors of procedure and irregularities of proceedings of the Lower Courts.

12 The following Officers were the Assistant Commissioners throughtout the year. The number of suits decided on trial, the number of Appeals preferred from their decisions, and the result of those disposed of during the year are shown below.

Name and Official Designation.	1	2	3	4	5	6	7	8
		Appeals.						
	Decided on trial.	For trial during the year.	Number confirmed.	Number reversed.	Number modified.	Number rejected.	Otherwise settled or adjusted.	Pending.
Akyab District.								
Mr. J. Hind, Assistant Commissioner, 3rd grade from 1st January to 13th July and from 10th October to end of the year, ...	17	4	3	.....	.....	.....	1	
Moung Shway Taw, Tsectkay of Akyab, for Mr. Hind from 17th July to 5th August, ...	1	.....	.....	.....	.....	....	.....	
Lieut't M. C. Poole, Assistant Commissioner 3rd grade from 6th September to 22nd November, ...	37	5	4	.....	....	....	.....	1
Mr. C. D. C Lloyd, Asst. Commissioner 3rd grade from 18th November to end of the year, ...	19	4	.....	.....	....	...	....	4
Total, ...	74	13	7	.....	.....	.....	1	5

I. Mr. Hind was the Assistant Commissioner of Akyab throughout, but absent on privilege leave from 14th July to 11th October. Of 17 suits decided by him on trial,

4 were appealed; of them 3 were confirmed, and 1 otherwise disposed of, a very good result. The Deputy Commissioner reports that he has carried on his duties to his satisfaction.

II. During the absence of Mr. Hind, the Tseit Kay decided one case on trial.

III. Lieutenant Poole was Assistant Commissioner from 6th September to 22nd November. He decided suits the value of which did not exceed Rs, 100—; of these 37 cases: 5 were appealed; 4 confirmed and 1 remained pending; a very satisfactory result. During the time Lieut. Poole was Assistant Commissioner the Deputy Commissioner says, "he showed himself possessed of good abilities "and a clear head, and performed his duties in a very sat- "isfactory manner."

IV Mr. Lloyd was Assistant Commissioner from 18th November to end of the year during which time he decided 19 cases on trial, of them 4 were appealed and all of them remained pending at the close of the year.

The Deputy Commissioner says, "Mr. Lloyd only arrived "on the 18th November, it would be premature yet for "me to pass an opinion on his capabilities."

V. This Return shews that of 74 suits decided on trial, 13 or about 1/6 were appealed and of these none were reversed or modified, a result highly creditable to the Officers concerned.

13. The following Officers were the Extra Assistant Commissioners of the 1st Class in the Division throughout the year. The number of suits decided on trial, the number of Appeals preferred from their decisions, and the result of those disposed of during the year are shown below

Name and Official Designation.	1	2	3	4	5	6	7	8
	Decided on trial.	Appeals.						Pending.
		For trial during the year.	Number confirmed.	Number reversed.	Number modified.	No. rejected.	Otherwise settled or adjusted.	
Akyab District.								
Mr. T. W. Hunt, Ex: Asst. Commissioner, Naaf, 1st class 1st grade throughout the year, ...	85	19	11	4	1	..	2	1
Mr. R. A. D. Perreau, Ex: Asst. Comm'r Akyab, 1st class, 2nd grade, from 1st January to 17th November, ...	143	23	12	5	5	...	....	1
Moung Kulla, Ex: Assist Comm'r Koladan, 1st class 2nd grade, ...	51	13	5	2	3	...	2	1
Total, ...	279	55	28	11	9	...	4	3

I. Mr. Hunt was the Extra Assistant Commissioner of Naaf throughout the year. Of 85 suits decided on trial, 19 were appealed, of which 4 were reversed, 1 modified, and 1 remained pending at the close of the year. The result is creditable.

The Deputy Commissioner says, "Mr. Hunt has been for "over 3 years at the Naaf, a place seldom visited by any "European, he works hard and I am very well satisfied "with his conduct. He has passed both in Burmese and "the Lower standard Examination in Law, and I trust as "a reward for his long services, able discharge of his "duties, and so continued a seclusion from European "society, the Chief Commissioner may be pleased to pro-"mote him."

II. Mr. Perreau was Extra Assistant Commissioner of Akyab up to the 17th November, when he was transferred

to Bassein. He decided 143 cases on trial; of them 23 were appealed, 5 reversed, 5 modified and 1 remained pending. The result is not very satisfactory.

The Deputy Commissioner says, "he performed his " duties to my entire satisfaction "

III. Moung Kulla was the Extra Assistant Commissioner of Koladan throughout the year. He decided 51 cases on trial, 13 Appeals from his orders were preferred, of them 2 were reversed 3 modified and 1 remained pending at the close of the year. The result is satisfactory.

The Deputy Commissioner says, "Moung Kulla, Extra " Assistant Commissioner is not very bright, and his " working days are over, but he has served Government " long and faithfully."

14. The following Officers were the Extra Assistant Commissioners of the 2nd Class or Tsitkays of the several Districts of this Division throughout the year. The number of suits decided on trial, the number of Appeals preferred from their decisions, and the result of those disposed of during the year, are shown below.

Name and Official Designation	1	2	3	4	5	6	7	8
	Appeals.							
	Decided on trial.	For trial during the year.	Number confirmed.	Number reversed.	Number modified.	Number rejected	Otherwise settled or adjusted.	Pending.
Akyab District.								
Moung Shway Taw E. A. Commissioner 2nd Class 1st Grade throughout the year.	218	31	18	3	4	.....	2	4
Rambree.								
Moung Shway Dike E. A. Commissioner 2nd Class 1st Grade throughout the year.	114	35	21	8	4	.....	2	..

SANDOWAY.								
Moung Shway Boo Offg. E. A. Commissioner from 1st to 27 January 1867. ..	8	10	6	3	.....	.....	1	...
Moung Tha Doway Ex. A. Comm'r 2nd Class 2d Grade from 28 January to end of the year ..	125	22	10	7	2	.....	3	...
Total	465	98	55	21	10	.....	8	4

I. There were three Extra Assistant Commissioners 2nd Class or Tsitkays in the Division, one in each District. They disposed of 465 cases on trial, of them 98 or rather more than 1/5 were appealed, of them 31 or less than 1/3 were reversed or modified, and 4 remained pending at the close of the year; a result generally satisfactory.

II. Moung Shwai Taw was Tsit Kay of Akyab throughout the year. He disposed of 218 cases on trial There were 31 appeals from his orders, of them 7 were reversed or modified, a general result favorable to that Officer. The Deputy Commissioner says, "he is an intelligent Officer and very well fitted for his office."

III. Moung Shwai Dyke was Tsit Kay of Ramree throughout the year. He disposed of 114 cases on trial; of them 35 were Appealed, 12 or $\frac{1}{3}$ of them were reversed or modified, a good result. The Deputy Commissioner of Ramree states, "Tsit Kay Shwai Dyke I knew in "1863, he was Tseekay at Thayetmyo, a high opinion of "his qualification as a Civil Judge, was not then held, but "most creditably to himself, this is, my predecessors shew "me, changed, and his improvement great. I have perfect "confidence in Moung Shwai Dyke, who I consider tho-"roughly trustworthy and honest."

IV. Moung Shwai Boo, Myooke of the Northern Division Officiated as Tsit Kay up to 27th January in addition to his own duties. He decided 8 suits on trial; there were 10 appeals. (including two from decisions of 1866) from

his orders (i e. Decrees) 3 or about ¼ were reserved, a result not unfavorable to that Officer. He will be reported on as a Myooke.

V. Moung Thadoway Tseekay of Sandoway from 28th January to end of the year. He disposed of 125 cases on trial, of them 22 were appealed and of them 9 were reversed or modified. The result is not very satisfactory. The Deputy Commissioner says, "the Tseekay Moung Thadoway is a zealous intelligent Officer, he has good knowledge of form and Procedure."

15. The following Officers were the Extra Assistant Commissioners 3rd and 4th classes, or the Myookes of the several Districts throughout the year. The number of Appeals preferred from their decisions and the result of those disposed of during the year are shown below.

	1	2	3	4	5	6	7	8
	Appeals.							
Name and Station.	Decided on trial	For trial during the year	Number Confirmed	Number reversed.	Number Modified	Number rejected	Otherwise settled or adjusted.	Pending
Akyab District.								
Moung Phaphyoo 3rd Class 1st Grade Myohoung, throughout the year,	139	6	2	...	4	...	...	...
Moung Htoon Oo, 3rd Class 3rd Grade Rathaidoung from 13th January to end of the year, ...	66	8	4	1	1	.	...	2
Moung Kulla, 4th Class 1st Grade Minbya throughout the year,	84	10	2	4	3	...	...	1
Moung Nhing, 3rd Class 3rd Grade Ooreettoungashay throughout the year,	35	16	7	2	3	...	1	1
Htoon Oo, 3rd Class 3rd Grade Ooreettoung Anouk from 1st to 6th January 1867, ...		1	1	..	..		...	...
Moung Kyaw Tsan, 4th Class 1st Grade from 7th Jan'y to 23rd August 1867.	26	5	2	2	1	...	.	...
Do Shwai Too, acting Myooke from 23rd August to 11th Dec'ber, 1867, .	8	2		2	...	..	..	...
Moung Bein, from 12th to 31st December 1867, ...	2	..	.	.	..	.	..	...

RAMREE.								
Moung Nga Hto Shway, 3rd Class 3rd Grade Ramree throughout the year,	61	8	5	2	..	1	.	
Moung Hla Htoon Oung, 3rd Class 3rd Grade Aeng throughout the year, ...	53	10	5	1	...	3	1	.
Moung Phoung Tha Oo, 3rd Class 3rd Grade Cheduba throughout the year.	65	1	1	.		.		.
SANDOWAY.								
Moung Shwayboo 3rd Class 1st Grade Northern Division throughout the year, ...	168	11	9	1	...	...	1	...
Moung Kya Oung, 4th Class 1st Grade Southern Division throughout the year, ...	51	6	1	4	1		...	...
Total, ..	758	84	39	21	13	4	3	4

I. The above shows that there were 10 Myookes employed in this Division throughout the year; they disposed of 758 cases on trial, of them 84 or 11 per cent were appealed, and of those appealed, 34 or about 3.7 were reversed or modified, and 4 remained pending at the close of the year. The result on the whole appears to me fair.

Akyab District

II. Moung Pha Phyoo was Myooke of Myohoung throughout the year. He disposed of 139 cases on their merits, 6 appeals were preferred from his orders, 4 of which were modified, which is not a good result, but the number of appeals is satisfactorily few.

III. Moung Htoon Oo was Myooke of Ooreettoung Anouk from the 1st to 6th January and of Rathaidoung from 13th January to the end of the year, during which time he decided 66 cases on trial; there were but 9 appeals from his orders, and in only 2 instances were his orders reversed or modified; 2 remained pending at the close of the year, a very satisfactory result.

IV. Moung Kulla was Myooke of Minbya throughout the year. He disposed of 84 cases on their merits, there were 10 Appeals preferred, 7 were reversed or modified and 1 remained pending; a result not creditable.

V. Moung Nhing was Myooke of Ooreettoung Ashay township throughout the year. He disposed of 35 cases on their merits; there were as many as 16 Appeals preferred, 7 were reversed or modified, and 1 remained pending; the result is altogether unsatisfactory.

VI. Moung Kyaw Tsan was Myooke of Ooreettoung Anouk township from 7th January to 23rd August, when he was removed from inability to pass the prescribed examination. He decided 26 cases on their merits. There were 5 Appeals preferred 3 were reversed, or modified. The result is not good. This is an old and respectable Government servant, and I beg to say that I much regret, that another opportunity of passing was not given him.

VII. Moung Shway Too acted as Myooke from 24th August to 11th December. He decided 8 cases on their merits. There were 2 Appeals against his decisions and both were reversed, which is bad.

VIII. Moung Being was Myooke of Ooreettoung Anouk township from 12th to 31st December, during which time he disposed of only 2 cases on their merits.

IX. Regarding the character of the above Officers, the Deputy Commissioner says "Moung Thadoway, Myooke "of Rathaidoung was transferred to be Tseekay in Sando- "way in January 1867, and Htoon Oo succeeded him from "Ooreettoung Anouk, he and Pha Phyoo, Myooke of Myo- "houng (Old Arakan) and Mouug Kulla, Minbya Myooke "have all performed their duties well."

"Moung Nhing Ooreettoung Ashay Myooke is not in "my opinion worthy of his post, but a further report "about him will be made"

"Moung Kyaw Tsan, Myooke of Ooreetoung Anouk was "removed from incapacity of passing the required tests on "the 23rd August. Shwai Too writer in the Commission- "er's Court officiated till 10th December, when Moung "Being the late Akhoonwoon of Ramree joined. Of his "capabilities I can yet pass no opinion."

X. Moung Nga Hto Shway was Myooke of Ramree Township throughout the year. He disposed of 61 cases on their merits. There were 8 appeals preferred against his orders, 2 only were reversed a very satisfactory result.

Ramree District

XI. Moung Hla Htoon Oung was Myooke of Aeng Township throughout the year He decided 53 cases on their merits; there were 10 appeals preferred and 1 only reversed; a remarkably satisfactory result.

XII. Moung Phoung Tha Oo was Myooke of Cheduba township throughout the year. He disposed of 65 cases on their merits; of them only one was appealed, and that one was confirmed: altogether most satisfactory.

XIII. Regarding the above named Officers, the Deputy Commissioner of Ramree says, "I received charge of this "District on the 8th January 1868, so have not as yet had "the pleasure of making the acquaintance of Myookes "Nga Tho Shway, Hla Htoon Oung and Phoung Tha Oo, "and except from the result (shown above) of the work, "know nothing personally about them, but both Captain "Watson and Mr. Ireland had a high opinion of each, "and considered they performed their several duties sat-"isfactorily."

XIV. Moung Shway Boo was Myooke of Sandoway, Northern division througout the year. He disposed of 186 cases on their merits. Of them only 11 were appealed and 1 only was reversed a particularly satisfactory result.

Sandoway District

XV. Moung Kya Oung was Myooke of the Southern Townsh p of Sandoway. He disposed of 51 cases on trial, there were 6 appeals, of them 5 were reversed or modified. The result is bad.

XVI. Regarding the Character of the above Officers the Deputy Commissioner says, "Moung Shwai Boo the "Northern Myooke is a good Judicial Officer, worthy of "advancement, he has also a good knowledge of Proce-"dure. The Tseekay Moung Thadoway and Myooke "Moung Shwai Boo invariably framed issues in the cases

" tried by them, the issues are generally correct and to the " point, and their decisions clearly given."

"The Southern Myooke Moung Kya Oung is old, I can " hardly say that he is efficient but he does his best."

16. From the 4 last statements it will be observed that in the Subordinate District Courts, 1,576 suits were disposed of on trial during the year; of them, the orders were appealed in 250 cases, or about 16 per cent, and in 85 of these appeals, (or one third) were the orders of the Lower Courts reversed or modified; a generally fair result.

17. The following statement shows the original cases in which the parties were personally present before the Court.

	Official Designation.	In which Plaintiff was personally present before the Court.	In which Defendant was personally present before the Court.	In which both parties were present before the Court.	In which neither party was present in person.
AKYAB,	Deputy Commissioner,	.....	.....	...	.....
	Asst. Commissioner,	11	1	50	13
	Extra Asst. Commissioner Akyab,	39	32	158	69
	Do Naaf, ...	17	3	194	.....
	Do Koladan,	20	1	21	59
	Tsitkay, ...	85	3	296	.....
	5 Myookes, ...	154	91	415	21
	Total, ...	236	131	1134	162
RAMREE,	Deputy Commissioner,	.....	.....	1	.....
	Tsitkay, ...	36	41	129	.....
	3 Myookes, ...	69	143	224	.....
	Total, ...	105	184	354	.....
SANDOWAY,	Deputy Commissioner,	.....	.....	1	.....
	Tsitkay, ...	25	3	140	.....
	2 Myookes, ...	58	21	218	.....
	Total, ...	83	24	359	.....
	Grand Total, ...	514	339	1847	162

The above calls for no particular remark.

18. From the statements accompanying this Report the following details will be observed.

Statement No. I

19. Detail of statement No. I.

	Appeals	Original Suits.	Mis: Cases.	Total.
Pending, ...	15	27	21	63
Instituted, ...	257	2876	1707	4840
Total, ...	272	2903	1728	4903
Disposed of	254	2866	1713	4833
Pending, ...	18	37	15	70

From the above it will be observed that of 272 appeals all but 18 were disposed of during the year: That of 2,903 original suits all but 37 were disposed of, and that of 1,728 Miscellaneous cases, there remained but 15 pending at the close of the year.

In the last Column it is shewn that of 4,903 appeals suits and cases pending for trial during the year, there remained but 70 undisposed of on the 1st January, which is 7 more than were pending on the 1st January 1867. But the increase is trifling, and calls for no particular remark. There was on the whole a decrease of 369 in the number of appeals suits and cases disposed of during the year compared with 1866.

20. From statement No. II. it will be observed that 350 of the appeals and suits were connected with immovable property, and that 2,783 were not so connected. Of the latter 213 were connected with marriage or divorce, a large proportion.

Statement No. II.

Statement No III

21. Detail statement No. III.

	Rejected.	Decided on trial: In favor of Plaintiff or Appellant.	Decided on trial: In favor of Defendant or Respondant.	Decreed exparte.	Compromised.	Withdrawn or otherwise disposed of.	Transferred	Total.
Appeals, ..	6	89	410	....	1	18	....	254
Original Suits, ..	45	1102	477	310	359	567	6	2866
Miscellaneous cases,	111	957	168	153	61	249	14	1713
Total, ...	162	2148	785	463	421	834	20	4833

The above shows that of 254 appeals, 89 only, or about one third were disposed of in favor of appellants, a result not unfavorable to the Officers whose orders were appealed against.

Statement No IV

22. With regard to statement No. IV it will be observed that in the Commissioner's Court the average duration of appeals was 11 days: in the preceeding year it was 24 days. In Miscellaneous cases the average duration was but one day, less by a day than in the previous year.

Akyab District

II. In the Deputy Commissioner's Court the average duration of appeals was 1 month and 28 days against 1 month and 12 days in 1866. In original cases the average duration of suits in this District was 12 days, being 2 days less than in 1866, and in Miscellaneous cases it was 10 days, an improvement of 1 day over that of the preceeding year.

Ramree District

III. In the Deputy Commissioner's Court the average duration of appeals was 4 days, which is 5 days less than in the previous year. The average duration of original suits in this District

was 18 days, being an increase of 6 days over 1866, and in Miscellaneous cases it was 12 days, which is less by 1 day.

Sandoway District

IV. The average duration of appeals in the Deputy Commisioner's Court was 17 days, being an increase of 9 days over that of the preceeding year In original suits it was 13 days, which is also an increase over 1866 of 6 days, and in Miscellaneous cases it was 12 days, which is also an increase of 3 days over that of the previous year.

Northern Arakan

V. In original suits the duration was 2 months and 3 days, while there were no Miscellaneous cases before the Sperintendent of Northern Arakan.

The delay was occasioned by the Superintendent of Hill Tribes being occupied in marching through the Hill tracts, and visiting all the villages in his Jurisdiction.

VI. The average duration of appeals in the Division was 18 days, which is 2 days less than in 1866. In original suits it was 26 days, which is an increase of 15 days over that of the preceeding year. In Miscellaneous cases it was 7 days instead of 9 in 1866.

VII. The total amount of value of appeals, original suits, and Miscellaneous cases was as follows,

Of appeals	Rupees	36,530	1	1
Original Suits	"	2,76,416	14	3
Miscellaneous cases	"	1,38,746	4	5
	Total Rupees,	4,51,693	3	9

The value of Stamps amounted to

For appeals	Rupees	3,213	1	0
" Original suits	"	17,860	1	0
" Miscellan's cases	"	1,130	6	0
	Total Rupees	22,203	8	0

The costs of every description including Stamps, Pleaders fees, &c &c was :

For Appeals	Rupees	3,400	5	4
" Original suits	"	29,688	10	0
" Misscella's cases	"	3,821	9	10
Total	Rupees	36,910	9	2

From the above it will be seen that the cost of stamps amounted to nearly 5 per cent on the aggregate value of the appeals, original suits, and Miscellaneous cases; and the total costs of every description amounted to about $8\frac{1}{6}$ per cent.

23. This statement shows the average duration of appeals, suits, and Miscellaneous cases in the Courts of the Division, and calls for no particular remark. Statement A

24. These statements show the result of appeals and 2nd appeals, from all Courts of the Division and also call for no remarks. Statement B & C

25. This Statement shows the duration of all Civil Suits in each grade of Court in each District in the Division. Statement D

26 Shows the proportion in which appeals from each grade of Court were decided. Statement I

27. Shows Miscellaneous cases under Section 22 of Act I of 1863 and other Acts. Statement F

With reference to the Chief Commissioner's Circular No. $\frac{1}{500}$ dated 15th August 1867 directing that notice should be taken of the execution of decrees and the extent to which recourse is had to arbitration, I have to request attention to a figured Statement for the Akyab District shewing the business done, and the general results of proceedings in cases of execution of Decrees. It appears that in some jurisdictions (as in the Naaf and the Akyab Tsit Kay's Court) the proceedings in these matters are

very dilatory. It is possible that satisfactory explanations which will at once be called for, may be forthcoming. The general results of the table are fair, Lt. Col. Spilsbury is the only Officer who has attended to these instructions in the Circular, and he has omitted to notice the extent to which recourse was had to arbitration. Copies of the Circular were sent to the District Officers on 3rd September, and a reminder on 10th December last.

28. The Register Books and records of the Courts of the Deputy Commissioners of Districts have not been inspected since the beginning of 1867.

29. The Deputy Commissioners of Akyab, Ramree and Sandoway, have reported having inspected the records and Registers of their subordinate Courts, and their being in good order and correctly kept.

30. Regarding Pleaders the Deputy Commissioner of Akyab says, "They are all pleaders of the 3rd Class, of "their intelligence and abilities I can say little in their favor."

The Deputy Commissioner of Ramree says, "throughout "the year no complaints have been made."

All newly appointed Pleaders are required to pass the prescribed examination before certificates are granted to them.

31. Regarding the Books for registering deeds, the Deputy Commissioner of Akyab says, "Deeds were regis- "tered here by Assistant Commissioners, and at the Naaf "by the Extra Assistant Commissioner. The books of the "former have been lately examined and found correctly "kept. Those at the Naaf were inspected in March and found correct, the entries were very few." The Deputy Commissioner of Ramree says, "Four deeds have been registered during the year, but of "no very great importance."

The Deputy Commissioner of Sandoway says, "Three "Deeds referring to Civil business were registered during the year."

32 There were no suits reported to have been preferred during the year in which Government was a party.

33. The Gazettes belonging to the Courts of Akyab and Ramree have been reported to be properly filed.

34. Records of the several Courts of the Division are I believe properly arranged

35. The securities given by Nazirs have been revised, and reported on as being good and sufficient.

36. As regards Stamp Duties I beg to refer to the report from the Deputy Commissioner, Ramree, and the passage marked Stamp Duties in the Report of Deputy Commissioner of Sandoway. The Deputy Commissioner of Akyab has not reported upon them.

I have already informed * you that I proposed to embody in this report the remarks on the new Act and its operation, which I had the honor to submit towards the close of last year when officiating as Commissioner of Pegu. I regret to be obliged to take the liberty of asking that you will be so good as to refer to my report in question for them. I have not received as I expected, a copy of them from Rangoon, and I cannot repeat them here with verbal accuracy, though the substance of them I of course remember.

* By telegram dated 4th February 1868

I am still quite of the same opinion. I consider that the Stamp duty in Criminal cases is a good rule: that the enhanced duty on the valuation of suits for land is reasonable and proper, and that all the enhancements are good, with the exception of that upon the Institution of Suits up to Rs. 1,000 in value, which I think high, being as much as 10 per cent.

I have the honor to be,

Sir,

Your most obedient servant,

J F. J. STEVENSON,

Commissioner of Arakan.

No. I.

Statement of suits of every description instituted, disposed of and Arakan during

1	2	3	4	5
	No. of suits pending at the close of year 1866.			
COURTS.	Appeals.	Original suits.	Miscellan's cases.	Total.
Commissioners Court, ...	..	..	..	..
AKYAB DISTRICT.				
Deputy Commissioner's Court ...	12	..	5	17
Assistant Commissioner's Court, ...	..	3	..	3
Akyab Extra Assistant Commissioner's Court, ...	..	2	3	5
Naaf Extra Assistant Commissioner's Court, ...	..	2	5	7
Koladan ditto ditto	..	..	..	..
Tseit Kay's Court, ...	..	4	5	9
Myohoung Myooke's Court, ..	..	1	..	1
Rathaidoung ditto	..	6	..	6
Menbya ditto	..	..	..	..
Oorcettoung Ashay Myooke's Court, ...	..	3	..	3
ditto Anouk ditto	..	..	1	1
Total	12	21	19	52
RAMREE DISTRICT				
Deputy Commissioner's Court, ...	..	..	..	..
Tseit Kay's Court	..	3	..	3
Ramree Myooke's Court, ...	..	..	..	..
Aeng ditto	..	..	..	..
Cheduba ditto	..	..	..	..
Total.....	..	3	..	3
SANDOWAY DISTRICT.				
Deputy Commissioner's Court, ...	3	1	..	4
Tseit Kay's Court, ...	..	1	2	3
Northern Myooke's Court, ...	..	1	..	1
Southern ditto	..	..	..	..
Total.....	3	3	2	8
NORTHERN ARAKAN.				
Hill Tribes Superintendent's Court. ...	..	..	..	..
Total.....	..	..	..	..
GRAND TOTAL.....	15	27	21	63

pending, before all the Courts, European and Native, in the Division of the year 1867.

6	7	8	9	10	11	12	13	14	15	16	17
No. of cases instituted during the year 1867.				No. of cases disposed of during the year 1867.				No. of cases pending at the close of the year 1867.			
Appeals.	Original suits.	Miscellan's cases.	Total.	Appeals.	Original suits.	Miscellan's cases.	Total.	Appeals.	Original suits.	Miscellan's cases.	Total.
22	..	2	24	20	..	2	22	2	..	..	2
135	..	40	175	131	..	43	174	16	..	2	18
..	72	60	132	..	75	60	135	..	..	..	..
..	308	157	465	..	298	154	452	..	12	6	18
..	217	182	399	..	214	184	398	..	5	3	8
..	102	42	144	..	101	42	143	..	1	..	1
..	388	504	892	..	384	505	889	..	8	4	12
..	250	53	303	..	245	53	298	..	6	..	6
..	132	36	168	..	138	36	174	..	..	..	..
..	142	20	162	..	142	20	162	..	..	..	..
..	93	22	115	..	93	22	115	..	3	..	3
..	64	14	78	..	63	15	78	..	1	..	1
135	1768	1130	3033	131	1753	1134	3018	16	36	15	67
54	1	5	60	54	1	5	60	..	..	..	..
..	207	171	374	..	206	171	377	..	..	..	..
..	203	130	333	..	203	130	333	..	..	..	..
..	81	6	87	..	81	6	87	..	..	..	..
..	153	40	193	..	152	40	192	..	1	..	1
54	641	352	1047	54	643	352	1049	..	1	..	1
46	..	16	62	49	1	16	66	..	..	..	..
..	167	133	300	..	168	135	303	..	..	..	..
..	203	66	269	..	204	66	270	..	..	..	..
..	93	8	161	..	93	8	101	..	..	..	..
46	463	223	782	49	466	225	740	..	..	..	..
..	4	..	4	..	4	..	4	..	..	..	..
..	4	..	4	..	4	..	4	..	..	..	..
257	2876	1707	4840	254	2866	1713	4833	18	37	15	70

No. II.

Classification of Appeals and Original Suits instituted before all the

	Appeals								
	Before Commissioner.	Deputy Commr'. Akyab.	Deputy Commr'. Ramree.	Deputy Commr'. Sandoway.	Supdt. of Hill Tribes Northern Arakan.	Total.	Commissioner.	Akyab S. A, Commr's.	Asst. Commissioner.
1	2	4	4	5	6	7	8	9	10
I. Suits Connected with Immoveable Property.									
1. Houses	...	.	2	..	.	2	..	...	..
2. Lands	7	27	12	9	...	55	...	...	...
3. Mortgages ...	...	...	...	...	...	...	...	...	..
4. Fisheries	...	...	...	...	...	...	..	...	...
5. Inheritance ...	...	2	3	...	...	5	...	...	...
6. Other cases ...	...	..	...	...	...	...	...	...	..
II. Suits not Connected with Immoveable Property.									
1. Debt	2	15	6	7	...	30	...	..	22
2. Damages for breach of Contract or loss or injury to property ...	1	5	3	1	...	10	...	.	1
3. Damages for personal injuries and wrongs.	1	...	3	5	...	9	...	..	.
4. Marriage or Divorce.	1	11	5	5	...	22	...	...	...
5. Inheritance ...	...	4	3	...	...	7	...	...	...
6. Other cases ...	10	71	17	19	...	117	...	...	49
Total ..	22	135	54	46	...	257	...	...	72

Courts in the Division of Arakan during the year 1867.

ORIGINAL SUITS.

AKYAB.										RAMREE.					
Akyab Extra Asst. Commissioner.	Naaf Ditto.	Koladan Ditto.	Tsitkay.	Myohoung Myookes Court.	Rathaidoung Myookes.	Menbya	Ooreetoung Ashay Ditto.	Ooreetoung Anouk Ditto.	TOTAL.	Deputy Commr.	Tsitkay.	Ramree Myooke.	Aeng Myooke.	Chedubaa Do.	TOTAL.
11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26
...	...	...	2	...	...	1	...	...	3	...	2	...	2	...	4
11	30	16	3	5	13	17	11	11	117	...	15	14	11	7	47
.	...	..	...	...	...	...	...	...	...	...	...	1	5	...	6
..	...	...	...	...	.	...	...	...	...	...	1	...	...	...	1
..		...	2	...	.	...	1	2	5	...	3	5	2	3	13
..	33	...	15	1	...	1	..	...	50	...	...	...	...	...	...
151	16	64	273	56	21	18	32	9	665	..	94	68	27	39	228
4	49	...	10	3	39	2	6	...	114	...	1	16	...	..	17
1	.	1	...	...	..	2	...	4	8	...	1	2	8	1	12
2	17	10	32	30	11	15	9	7	133	...	10	4	16	12	42
.	5	2	2	7	2	3	2	5	28	.	28	5	...	2	35
139	67	9	49	148	43	83	32	26	645	1	48	88	10	89	236
308	217	102	388	250	132	142	93	64	1768	1	203	203	81	153	641

No. 11.—(*Continued.*)

	Sandoway.							
	Deputy Commr.	Tsitkay.	Northern Myooke.	Southern Myooke.	Total.	Supdt. of Hill Tribes Northern Arakan.	Total.	Grand Total.
1	27	28	29	30	31	32	33	34
I. Suits Connected with Immoveable Property.								
1. Houses	...	...	...	...	...	...	...	7
2. Lands	...	16	6	7	29	...	...	193
3. Mortgages	...	1	4	...	5	...	...	11
4. Fisheries	...	...	...	...	...	...	...	1
5. Inheritance ...	...	3	5	...	8	...	...	26
Other cases.	...	...	...	...	...	...	...	50
II. Suits not Connected with Immoveable Property.								
1. Debt	...	52	82	56	190	...	...	1083
2. Damages for breach of Contract or loss or injury to property ...	...	6	2	...	8	...	...	139
3. Damages for personal injuries or wrongs.	...	4	3	5	12	...	...	32
4. Marriage or Divorce.	...	10	13	14	37	1	1	213
5. Inheritance ...	...	3	...	...	3	...	...	66
6. Other cases ...	...	72	88	11	171	3	3	1055
Total...	...	167	203	93	463	4	4	2876

Akyab the 13th February 1868.

J. F. J. STEVENSON,

Commissioner of Arakan.

No. III.

Detail of Suits disposed of by all the Courts in the Division of Arakan during the year 1867.

Description of Suits.	1 Courts.	2 Rejected.	3 Decided on Trial. In favor of appellant or Plaintiff.	4 Decided on Trial. In favor of Respondent or Defendant.	5 Decreed exparte.	6 Compromised.	7 Withdrawn or dismissed in default.	8 Transferred.	9 Total.
Appeals.	Commissioner's Court, ... Akyab District.	2	4	11	...	...	3	...	20
	Deputy Commissioner's Court, ... Ramree District.	...	52	71	...	1	7	...	131
	Deputy Commissioner's Court, ... Sandoway District.	4	15	32	...	...	3	...	54
	Deputy Commissioner's Court, ... Northern Arakan.	...	18	26	...	...	5	...	49
	Hill Tribes Supdt's. Court.	...	...	...	...	...	...	...	...
	Total	6	89	140	....	1	18	...	254

No. III---*Continued.*

Detail of Suits disposed of by all the Courts in the Division of Arakan during the year 1867.

1	2	3	4	5	6	7	8	9
Descpts. of Suits. / Courts.	Rejected.	Decided on Trial. In favor of Appellant or Plaintiff.	Decided on Trial. In favor of Respondent or Defendant.	Decreed Exparte.	Compromised.	Withdrawn or dismissed in default.	Transferred.	Total.
Akyab District.								
Original Suits. Deputy Commissioner's Court,	...	...	...	...	...	..	...	..
Assistant Commissioner's Court,	4	41	14	...	5	11	..	75
Akyab Ex. Asst. Commissioner's Court,	12	108	54	39	16	69	...	298
Naaf, ditto. ditto.	4	59	26	17	54	54	..	214
Koladan, ditto. ditto.	...	35	16	8	22	20	...	101
Tseit Kay's Court,	...	137	81	85	41	34	6	384
Myohoung Myookes Court,	3	69	70	13	18	72	...	245
Rathaidoung ditto.	1	50	16	8	27	36	...	138
Menbya, ditto.	2	66	18	...	32	24	...	142
Ooreetoung Ashay Myo Oke's Court,	8	33	2	4	27	19	...	93
Ditto. Anouk Ditto.	...	16	20	2	13	12	...	63
Total,	34	614	317	176	255	351	6	1753
Ramree District.								
Deputy Commissioner's Court,	...	1	...	...	...	..	...	1
Tseit-kay's Court,	1	85	20	35	15	41	...	206
Ramree Myo-oke's Court,	5	44	17	49	11	77	...	203
Aeng Myo-oke's Court,	...	38	15	5	18	5	...	81
Cheduba, ditto.	4	52	13	6	16	61	...	152
Total,	10	220	74	95	60	184	...	443

Original Suits—*cont'd.*	Sandoway District.									
	Deputy Commissioner's Court,	...	...	...	1	...	...	...	...	1
	Tseit-kay's Court,	...	...	...	92	41	14	9	12	...	168
	Northern Myo-oke's Court,	...	...	...	128	40	14	14	8	...	204
	Southern Myo-oke's, Court,	...	...	...	47	4	9	21	12	...	93
		Total,	...	...	268	85	37	44	32	...	466
	Northern Arakan.									
	Hill Tribes, Supdt's. Court,	...	...	1	...	1	2	...	...	...	4
		Total.	...	1	...	1	2	...	...	..	4
		Grand Total,	....	45	1102	477	310	359	567	6	2866
Miscellaneous Cases.	Commissioner's Court,	...	....	1	1	...	...	...	...	...	2
	Akyab District.									
	Deputy Commissioner's Court,	...	...	1	28	10	...	...	4	...	43
	Assistant Commissioner's Court,	...	...	9	28	1	...	...	8	14	60
	Akyab Ex: Asstt. Commissioner's Court,	...	....	...	154	...	..	...	...	...	154
	Naaf ditto	ditto	...	58	63	8	29	6	20	...	184
	Koladan ditto	ditto	...	1	25	1	2	4	9	...	42
	Tseit-kay's ditto	ditto	...	39	141	58	122	41	110	..	505
	Myohoung Myo-oke's Court,	...	...	...	30	2	...	...	18	..	53
	Rathaidoung Myo-oke's Court,	...	....	..	31	1	...	1	3	..	36
	Menbya ditto	...	...	...	18	2	...	...	...	...	20
	Ooreetoung Ashay ditto	...	...	..	22	..	...	...	..	...	22
	Ditto Anoûk ditto	...	...	..	1	14	...	...	...	..	15
		Total,	....	105	541	97	153	52	172	14	1134

Description Suits.	Courts.	2 Rejected.	3 Decided on Trial. In favor of Appellant or Plaintiff.	4 Decided on Trial. In favor of Respondent or Defendant.	5 Decreed Exparte.	6 Compromised.	7 Withdrawn or dismissed in default.	8 Transferred.	9 Total.
Miscellaneous Cases.—*cont'd.*	**Ramree District.**								
	Deputy Commissioner's Court,	1	2	2	... ..	.....	.....	.....	5
	Tseit-kay's Court,	...	128	9	... ..	3	31	.....	171
	Ramree Myo-oke's Court,	...	98	1	.....	.....	31	.....	130
	Aeng Myo-oke's Court,	...	5	0	.....	.....	1	.....	6
	Cheduba ditto	...	17	6	.....	5	12	.....	40
	Total,	1	250	18	.....	8	75	.....	352
	Sandoway District.								
	Deputy Commissioner's Court,	4	6	6	.....	.....	.....	.....	16
	Tseit-kay's Court,	.....	95	40	.....	... ..	... ..	.....	135
	Northern Myo-oke's Court,	.....	59	7	.....	.....	....	.....	66
	Southern ditto	.....	5	.....	.....	1	2	.....	8
	Total,	4	165	53	.....	1	2	.....	225
	Northern Arakan.								
	Hill Tribes Superintendent's Court,	.....	.....	.....	.....	.....	... ..	.....	.....
	Total,	.....	.....	.....	.....	.....	.....	.....	.....
	Grand Total,	111	957	168	153	61	249	14	1713

AKYAB,
The 13th February 1868.

J. F. J. STEVENSON,
Commissioner of Arakan.

No IV.

Supplementary Civil return of the Division of Arakan during the year 1867.

1		2	3	4	5	6			7			8		
Description Of Suits.	Court.	Longest period of any case on the file at the close of the year 1867.		Average duration of suits disposed of during the year 1867.		Total amount of value of suits instituted during the year 1867.			Value of stamps in law papers filed during the year 1867.			Cost of every description inclusive of stamps and Pleader's fees, in suits disposed of during the year 1867,		
		Months.	Days.	Months.	Days.	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.
Appeals.	Commissioner's Court, ...	1	3	.....	11	3,306	5	3	280	9	...	304	8	11
	Akyab District.													
	Deputy Commissioner's Court, ...	3	18	1	28	26,805	12	3	2,235	...	...	2,026	...	10
	Ramree District.													
	Deputy Commissioner's Court, ...	.....	.....	.....	4	3,639	14	7	379	...	...	622	9	3
	Sandoway District.													
	Deputy Commissioner's Court, ...	.....	.....	.....	17	2,778	1	...	318	8	.	447	2	4
	Northern Arakan.													
	Hill Tribes Superintendents Court, ...	.....	.....	.....	.....	.....	...	...	.....	...	...	.....	...	...
	Total	.....	.....	.....	18	36,530	1	1	3,213	1	...	3,400	5	4

No IV. *Continued*

Supplementary Civil return of the Division of Arakan during the year 1867.

Description of Suits.	Court.	2 Longest period of any case on the file at the close of the year 1867. Months.	3 Days.	4 Average duration of suits disposed of during the year 1867. Months.	5 Days.	6 Total amount of value of suits instituted during the year 1867. Rs.	A.	P.	7 Value of stamps in law papers filed during the year 1867. Rs.	P.	A.	8 Cost of every description inclusive of stamps and Pleader's fees, in suits disposed of during the year 1867. Rs.	A.	P.
	AKYAB DISTRICT.													
Original Suits.	Deputy Commissioner's Court,	.....	.....	.....	.....	.....	...	..	.....	.....	.....	.....	...	...
	Assistant Commissioner's Court,	.....	.....	.....	13	9,662	12	10	587	8	...	1,081	5	4
	Akyab Extra Assistant Commissioner's Court,	1	13	.....	4	22,433	7	11	1,744	...	..	2,648	8	3
	Naaf ditto ditto	.....	12	.....	19	11,564	10	10	1,023	..	...	1,538	2	3
	Koladan ditto ditto	.....	29	.....	18	5,951	5	4	499	...	...	834	12	..
	Tseit Kay's Court.	1	22	....	9	54,916	9	7	4.787	10	..	6,4o9	11	8
	Myohoung Myooke's Court,	.....	25	.....	8	18,254	2	4	1,609	...	.	2.910	4	3
	Rathaidoung ditto	.....	.....	... .	6	8,351	15	9	770	..	..	2,004	8	9
	Menbya, ditto	.....	....	.....	8	9,121	5	7	853	8	...	1,331	7	...
	Ooreetoung Ashay ditto	.....	22	.....	18	7,166	11	2	589	..	...	1,086	1	9
	ditto Anouk ditto	.....	15	.....	20	4,350	11	10	555	2	..	1,220	7	...
	Total .				12	1,51,779	13	2	13.017	12		21 094	4	3

ORIGINAL SUITS-*continued.*	RAMREE DISTRICT.													
	Deputy Commissioner's Court,	..	.....	.....	1	.....	23	.....	.....	2	.....	.....	2	4	...
	Tseitkay's Court,	...	.....	.....	.....	21	12,335	.....	.....	1,103	.....	.....	2,444	3	6
	Ramree Myooke's Court,	...	.....	.....	.....	12	85,014	.....	9	885	8	.....	1,168	8	.
	Aeng ditto	...	.....	.....	.....	15	4,703	15	...	545	5	...	1,128	5	11
	Cheduba ditto	.	.....	25	.....	13	4,649	4	4	469	.....	.....	679	10	11
	Total					18	1,06,725	4	1	3,004	18		5,423		4
	SANDOWAY DISTRICT.														
	Deputy Commissioner's Court,	.	.....	.....	1	1	29	4	..	5	.....	.....	5	1	...
	Tseitkay's Court,	..	.....	.....	.....	7	5,621	15	6	661	8	..	1,128	8	8
	Northern Division Myooke's Court,		.....	.....	.....	6	8,554	5	9	877	.....	.....	1,421	..	6
	Southern Division ditto		.....	.....	.. ..	10	2,336	13	9	294	..	..	616	...	3
	Total					13	16,542	7		1,837	8		3,171	5	5
	NORTHERN ARAKAN.														
	Hill Tribes Superintendent's Court,		...	.....	2	3	1,370	.	.	...	.	...	.....	.	..
	Total .. .				2	3	1,370								
	Grand Total					26	2,76,416	14	3	17,860	1		29,688	10	
MISCELLANEOUS CASES	Commissioner's Court,	..	.....	.....	.....	1	215	.....		2	8	..	6	11	...
	AKYAB DISTRICT.														
	Deputy Commissioner's Court,	..	1	25	....	26	3,482	6	6	15		..	37	15	...
	Assistant Commissioner's Court,	...	. .	.....	.....	8	12,399	11	6	21	1	...	116	1	..
	Akyab Extra Assi tant Commissioner's Court,		1	3	....	5	12,510	2	6	82	.	...	269	14	...
	Naaf ditto ditto	...	....	17	.....	3	6,782	9	10	72	7	...	140	6	6
	Koladan ditto ditto	...	.....	..	..	3	2,768	3	1	7	8	...	55	..	..
	Tseit Kay's Court,	..	1	13	....	7	53,896	8	1	375	14	..	1,017	15	6

No IV—*Continued.*

Supplementary Civil return of the Division of Arakan during the year 1867.

Description of Suits.	Court.	2 Longest period of any case on the file at the close of the year 1867. Months.	2 Days.	3 Average duration of suits disposed of during the year 1867. Months.	3 Days.	4 Total amount of value of suits instituted during the year 1867. Rs.	4 A.	4 P.	5 Value of stamps in law papers filed during the year 1867. Rs.	5 A.	5 P.	6 Cost of every description inclusive of stamps and Pleader's fees, in suits disposed of during the year 1867. Rs	6 A.	6 P.
Miscellaneous Cases-*contd.*	Myohoung Myooke's Court,	.....	.....	.....	7	5 379	2	5	25	..	..	213	4	...
	Rathaidoung ditto	.....	.....	.....	6	3,876	15	10	19	...	...	170	4	...
	Menbya ditto	.....	.....	.....	6	3,353	11	9	11	...	...	74	14	..
	Ooreetoung Ashay ditto	.....	.....	.....	13	1,269	6	6	11	...	...	105	8	...
	ditto Anouk ditto	.....	.....	.....	23	272	8	..	22	10	...	76	6	..
	Total ...				10	1,05,991	6		662	8		2,277	8	
	Ramree District.													
	Deputy Commissioner's Court,	.....	.....	.....	9	1,055	13	3	12	..	..	14	5	3
	Tseitkay's Court,	.....	.....	.....	18	11,524	11	4	163	4	...	574	14	3
	Ramree Myooke's Court,	.....	.....	.....	12	7,753	7	5	79	2	...	198	12	..
	Aeng Myooke's Court,	.....	.....	.....	17	917	14	9	5	11	...	38	8	6
	Cheduba ditto	.....	.....	.....	17	756	15	2	18	1	...	49	12	..
	Total.....				12	22,008	13	11	278	2		876	4	

Miscellaneous Cases—*continued.*

Sandoway District.															
Deputy Commissioner's Court,	..	.....	.....	.	5	1,728	...	9	15	8	..	21	14	3
Tseitkay's Court,	...	.....	.....	.. ..	13	3,724	5	2	111	12	.	382	11	1
Northern Division Myooke's Court,	...	....	.....	.....	14	4,684	9	7	50	.	...	202	10	6
Southern Division Myooke's Court,	..	.....	.....	.....	16	394	1	...	10	..	..	53	15	...
Total					12	10,531		6	187	4		661	2	10
Northern Arakan.															
Hill Tribes Superintendent's Court,	..	.....	.....	.....	.....	...		.....	...		.....	.....		.....
Total															
Grand Total		.....	.....	.....	7	1,38,746	4	5	1,130	6		3,821	9	10

AKYAB,
The 13th February 1868.

J. F. J. STEVENSON,
Commissioner of Arakan.

A.

Average duration of suits in the Civil Courts of Arakan Division as called for by Chief Courts order, Memo: No. 01992 dated 1st July 1864.

Courts.	Appeals.		Original		Mis:	
	M.	D.	M.	D.	M.	D.
Commissioner's Court	...	11	...	...	...	1
Akyab District.						
Deputy Commissioner's Court ...	1	28	...	...	..	26
Assistant Commissioner's Court ...	..	...	...	13	...	8
Akyab Ex. Asst. Commr's. Court ..	...	...	..	4	...	5
Naaf Do. Do.	...	..	...	19	...	3
Koladan Do. Do.	...	...	...	18	...	3
Tsietkays Court	...	..	...	9	...	7
Myohoung Myookes Court	...	...	...	8	...	7
Rathaidoung Do.	...	...	...	6	...	6
Menbya Do.	...	...	..	8	...	6
Ooreetoung Ashay Do.	...	...	...	18	...	13
Do. Anouk	...	...	...	20	...	23
Total .	1	28	...	12	...	10
Ramree District.						
Deputy Commissioner's Court ...	..	4	1	...	...	9
Tseitkays Court	...	...	...	21	...	18
Ramree Myookes Court	...	...	..	12	...	12
Aeng Do.	...	...	...	15	...	17
Cheduba Do.	...	...	...	13	...	7
Total ..	...	4	...	18	...	12
Sandoway District.						
Deputy Commissioner's Court ...	...	17	1	1	...	5
Tseitkays Court	...	..	...	7	...	13
Northern Division Myookes Court.	...	...	...	6	...	14
Southern Division Myookes Court.	...	...	...	10	...	16
Total ..	.	17	...	13	...	12
Northern Arakan.						
Hill Tribes Supdt's. Court	...	...	2	3	...	...
Total ...	...	...	2	3	...	...
Grand Total ..	...	18	...	26	...	7

Akyab the 13th February 1868.

J. F. J. STEVENSON,
Commissioner of Arakan.

B.

Statement showing the result of Appeals and second Appeals in Civil suits from all the Courts in the Division of Arakan in 1867 *called for by letter No.* 02190 *dated* 12*th June* 1865 *from the Chief Court of British Burma.*

		Number rejected.	Decree for Appellant on trial.	Decree for Respondent on trial.	Otherwise settled or adjusted.	Total.
1.	From Deputy Commisioners, to Com'er of Arakan,		. .		....	. .
	From Superintendent of Hill Tribes N. A. to Do.		.....			..
2.	From Assistant Commissioners, Extra Assistant Commissioners, Tseitkays and Myookes to Deputy Commissioners,	4	85	129	16	234
3.	Second appeals to Commissioner of Arakan, .	2	4	11	3	20
	Total, ...	6	89	140	19	254

AKYAB,
The 13*th February* 1868.

J. F. J. STEVENSON.
Commissioner of Arakan.

C.

Statement showing result of appeals and second Appeals in all the Courts in the Division of Arakan during 1867,

vide Chief Commissioner's letter No. 234 *dated* 27*th February* 1866.

Courts from which the second Appeals and appeals were preferred.	Arakan Division.				
	Decree for Respondent.	Decree of Lower Court reversed or Modified.	Rejected.	Otherwise settled.	Total.
From Deputy Commissioners, to Commissioner of Arakan,	.....	...	.....	.....	
" Superintendent of Hill Tribes N. A. Do. Do. ..	.....	.....	.....	.....	.....
" Assistant Commissioners, to Deputy Commissioner,	7	...	.....	1	8
" E. Assistant Commissioners, 1st Grade to Do. ...	28	20	.. .	4	52
" E. A. Commissioners, 2nd Grade (Tseitkays,) to Do...	55	31	..	8	94
" E. A. Commissioners 3rd Grade (Myookes) to Do. ..	39	34	4	3	80
Second Appeals to Commissioner of Arakan, ...	11	4	2	3	20
Total,.....	140	89	6	19	254

AKYAB,

The 13*th February* 1868.

J. F. J. STEVENSON,

Commissioner of Arakan.

D.

Statement shewing the duration of Civil cases in each grade of Court in each District of the Division of Arakan during the year 1867, *called for by Chief Commissioner's order No.* 1839 *dated* 16*th August* 1866.

	Grade of Court	Number of				
		1 Day.	2 "	3 "	4 "	5 "
	1	2	3	4	5	6
Akyab.	Deputy Commissioner's Court, ...	...	...	...	...	...
	Assistant Commissioner's Court, ...	2	9	6	7	4
	Ex. Asst. Commissioner's Court, ...	10	30	62	121	25
	Tseitkay's Court, ...	3	44	37	40	41
	Myookes Court, ...	11	20	37	48	37
	Total ...	26	103	142	216	107
Ramree.	Deputy Commissioner's Court, ...	...	...	...	...	...
	Tseitkay's Court, ...	3	2	4	9	2
	Myooke's Court	12	45	32	44	24
	Total ...	15	47	36	53	26
Sandoway.	Deputy Commissioner's Court, ...	...	...	...	...	...
	Tseitkay's Court, ...	12	14	20	17	10
	Myooke's Court, ...	10	38	43	33	25
	Total ...	22	52	63	50	35
N. Arakan.	Hill Tribes Superintendent's Court, ...	...	...	...	...	...
	Total ...	...	...	...	...	...
	Grand Total ...	63	202	241	319	168

D.

Statement shewing the duration of Civil cases in each grade of Court in by Chief Commissioner's order No.

	Grade of Court.	Cases decided within					
		6 "	7 "	8 "	9 to 15 days.	16 to 24 "	25 to 30 "
	1	7	8	9	10	11	12
Akyab, Cont'd.	Deputy Commissioner's Court ...	.	...	...	.	...	...
	Assstant Commr's Court ...	11	5	6	17	3	1
	Ex. Asst. Commr's Court ...	45	19	58	98	59	48
	Tseitkay's Court	30	25	27	63	39	12
	Myooke's Court	48	71	91	116	116	58
	Total...	134	120	182	294	217	119
Ramree, Cont'd.	Deputy Commissioner's Court ..	..	...	...	.	...	1
	Tseitkay's Court	12	4	6	55	46	29
	Myooke's Court	24	15	26	60	75	32
	Total...	36	19	32	115	121	62
Sandoway, Continued.	Deputy Commissioner's Court ...	.	.	..		..	...
	Tseitkay's Court	17	7	9	38	10	6
	Myooke's Court	21	17	20	28	46	5
	Total.....	38	24	29	66	56	11
N. Arakan,-Cont'd.	Hill Tribes Supt's, Court ...	..	...	...	....	...	...
	Total...	..	..	...		..	...
	Grand Total, .	208	163	243	475	394	192

—*Continued.*

each District of the Division of Arakan during the year 1867, *called for* 1839 *dated* 16*th August* 1866.

DAYS AS UNDER.				Total number of cases.	Total number of days.	Months in Average duration of each		REMARKS.
31 to 45 "	46 to 60 "	61 to 90 "	91 to 120 "					
13	14	15	16	17	18	19		20
						M.	D.	
...	...	...	..	...	...	...	...	
1	1	1	1	75	1006	..	13	
19	11	7	1	613	7235	..	11.8	
13	7	3	...	384	3555	..	9.2	
26	..	2	...	681	7220	...	10.6	
49	19	13	2	1753	19,016	...	10.8	
...	...	...	...	1	30	1	..	
12	14	6	2	206	4639	...	22.5	
30	13	2	2	436	5294	...	12.1	
42	27	8	4	643	9963	...	15.4	
1	...	...	..	1	31	1	1	
6	...	2	..	168	1458	..	8.6	
7	3	1	...	297	2326	...	7.8	
14	3	3	..	466	3815	...	8.1	
...	...	...	...	4		2	3	
...	...	..	..	4	.	2	3	
115	70	24	6	2866	32,794	...	*11.4	

*Excluding Hill Tribes Supdt's Court.

Akyab the 13*th February*, 1868.

J. F. J. STEVENSON,
Commissioner of Arakan.

E.

Statement showing the proportion in which Appeals from each grade of Court were decided or otherwise dealt with in the Arakan Division of British Burma during 1867 *called for by Chief Commissioner's No.* 1839, *dated* 16*th August* 1865.

	From Deputy Commissioners Court to Commissioner.	From Superintendent of Hill Tribes Northern Arakan Court to Commissioner.	From Assistant Commissioners Court to Deputy Commissioner.	From E. A. Commissioners 1st class to Deputy Comm'r.	From E. A. Commissioners 2nd class (Tseithays) to Deputy Commissioner.	From E. A. Commissioners 3rd class (Myookes) to Deputy Commissioner.	Total.
	per cent.	per cent.	per cent	per cent.	per cent.	per cent	
Judgment confirmed including rejected cases,	51.1		53.8	50.9	56 1	51.2	53.7
Modified or reversed,	18.2			36.3	31.6	40 5	32.7
Otherwise disposed of,	13.6		7.7	7.3	8 2	3.5	7.0
Pending,	9.1		38.5	5.5	4.1	4.8	6.6

AKYAB.

The 13*th February*, 1868

J. F. J. STEVENSON.

Commissioners of Arakan

F.

Detailed Statement of Miscellaneous cases and those arising under Section 22 of Act 1. of 1863 instituted, disposed of and pending, as entered in Columns 4-8-12 and 16 of Statement No. 1 in the Courts of the Arakan Division for the year 1867.

NATURE OF CASES.	PENDING.		INSTITUTED.		DISPOSED.		PENDING.	
	Appeals.	Miscellaneous Cases.	Appeals.	Miscellaneous Cases.	Appeals.	Miscellaneous Cases.	Appeals.	Miscellaneous Cases.
1. Execution of Decree, ...	.....	16	3	928	3	935	.....	9
2. Obj'tion to attachment of property in execution of Decree	.....	.....	.....	95	.....	94	.....	1
3. Claims to sue as a pauper, ...	.....	.....	.....	36	.....	36	.....	.....
4. Claims under Act XIX of 1841, ...	.....	.....	.....	.....	.....	.....	.....	.....
5. Cases under Act XXXV of 1858, ...	.....	.....	.....	.....	.....	.....	.....	.....
6. Cases under Act XL of 1858 and Act IX of 1861, ...	.....	.....	.....	3	.....	3	.....	.....
. Cases under Act XXVII of 1860, ...	.....	.....	.....	18	.....	18	.....	.....
8. All other Miscellaneous cases not included above	.....	5	8	616	7	617	1	4
Total,	.....	21	11	1,696	10	1,703	1	14

AKYAB,
The 13th February 1868.

J. F. J. STEVENSON,
Commissioner of Arakan.

No. 53.

From

LIEUT. COL. E. J. SPILSBURY,

Deputy Commissioner,

AKYAB.

To

THE COMMISSIONER OF ARAKAN.

Dated Akyab 25th January 1868.

SIR,

I have the honor of submitting herewith my report on the administration of Civil Justice of the Akyab District, for the year 1867.

SECTION I.

JUDICIAL CIVIL JUSTICE, AKYAB DISTRICT.

1. Report of the administration of Civil Justice in the District of Akyab for the year 1867.

2. The following was the state of regular files on the 1st January 1867 and 1st January 1868, showing 42 pending against 33 of 1867.

	1867	1868
Deputy Commissioner Akyab.	12	16
Assistant Commissioner do	3	0
Extra Asst. Commissioner do	2	12
do do Naaf	2	5
do do Koladan.	0	1
Tseitkay Akyab,	4	8
Myookes of Mrohoung,	1	0
do of Rathaidoung,	6	6
do of Menbya,	0	0
do of Ooreetoung East,	3	3
do of do West,	0	1
Total,	33	42
Increase,	0	9
Decrease,	0	0

3. There is a small increase in pending appeals, this arose from my having gone on a District tour in December and on my return I was from fever unable to attend Court before Christmas.

4 The increase of 10 suits pending in the Extra Assistant Commissioner's Court Akyab, is owing to Mr. Lloyd Assistant Commisioner having joined only on the 18th November, and being new to the work.

5 The Extra Assistant Commissioner Naaf, had 14 more suits in 1867 than in the previous year, and the Tseitkay 12; the slight increase of pending suits is thereby accounted for, the Mrohoung Myooke, increase of 5 pending suits has not been explained, a little more energy might probably have reduced it, but it is fair to say, he has been suffering very often from fever lately.

6. The number of suits and appeals instituted during the past two years as below, show a decrease of 352 cases in the year under review.

	1866	1867
Deputy Commiss'r Akyab { Original,	1	0
Deputy Commiss'r Akyab { Appeal,	135	135
Assistant Commissioner Akyab,	81	72
Extra Assistant Commissioner Akyab,	494	308
Do Do Naaf,	203	217
Do Do Koladan,	94	102

Tsoitkay	Akyab,	376	388
Myooke of	Myohoung,	294	250
Do	Rathaidoung,	117	132
Do	Menbya,	246	142
Do	Ooreetoung East,	127	93
Do	Do West,	87	64
	Total, ...	2255	1903
	Increase, ...	0	0
	Decrease, ...	0	352

7. The decrease of suits is in all the Courts, but the Naaf, Koladan, Tsoitkay, and Rathaidoung; in Menbya it is very large; it is possible that the increase of Stamp duty required may have stopped petty litigation, but in appeals it has made no difference.

8. Number of suits and appeals decided on trial and finally disposed of during the the year 1866 and 1867 is given in the following form and shows a decrease of 182 in the former, and of 384 in the latter, in the year under review.

		1866.		1867.	
		Decided on trial.	Finally disposed of.	Decided on trial.	Finally disposed of.
Deputy Commissioner's	Regular Suit,	...	2	.....	.....
	Appeals,	122	144	123	131
Assistant Commissioner	Akyab,	61	78	55	75
Extra Asst. Comm'r	do	245	493	162	298
do	Naaf,	77	216	85	214
do	Koladan,	48	94	51	101
Tsoitkay	Akyab,	202	376	218	384
Myooke of	Myohoung,	173	293	189	245
do	Rathaidoung,	52	111	66	138
do	Menbya,	132	246	84	142
do	Ooreetoung East,	85	128	35	93
do	do West,	39	87	36	63
	Total, ...	1236	2268	1054	1884
	Increase, ...	...	...	....	....
	Decrease, ...	...	..	182	384

9. The comparison shows that whereas in 1866, 1032 Suits were settled without a regular trial, in 1867 only 830 were so disposed of, this would show that the matters in dispute were of more importance and that cases were not begun to be withdrawn, if then this be owing to the increase of Stamp duty, the effect is salutary as discouraging unnecessary litigation.

10 There were no suits or appeals pending above a year.

The state of the Miscellaneous files on the 1st January 1867 and 1st Januaary 1868 is as follows.

	1867.	1868.
Deputy Commissioner Akyab,	5	2
do Assistant Comm's do	0	0
Extra do do	3	6
do do Naaf,	5	3
do do Koladan,	0	0
do Tseitkay Akyab,	5	4
do Myooke of Mrohoung,	0	0
do do Rathaidoung	0	0
do do Menbya,	0	0
do do Ooreetoung East,	0	0
do do do West,	0	0
Total, ...	19	15
Increase, ...	0	0
Decrease,	0	4

11. The pending cases are very few and the decrease in their number is satisfactory.

12. The following statement shows the number of Miscellaneous cases instituted and disposed of in the years 1866 and 1867, as also the number of cases of above one year's standing at the close of those years respectively.

	Institu-ted.	Disposed of by an order on their merits	Finally disposed of.	Pending above one year
Deputy Commissioner Akyab,	58	37	56	
Assistant Commissioner ditto, ..	39	33	38	
Extra Assistant Commissioner ditto,	190	188	188	
ditto Naaf	65	29	60	
ditto Koladan, ...	18	4	18	
Tseitkay Akyab, .	553	226	554	
Myooke of Mrohoung. ..	70	52	70	
ditto Rathaidoung, ..	34	30	36	
ditto Mengbra,	32	25	32	
ditto Orecttoung East, ...	29	29	29	
ditto ditto West, .	18	13	18	
Total,	1,106	666	1,099	
Deputy Commissioner Akyab, ...	40	38	43	
Assistant Commissioner ditto, ...	60	29	60	
Extra Assistant Commissioner ditto, .	157	154	154	
ditto Naaf,	182	71	184	
ditto Koladan,	42	26	42	
Tseitkay Akyab,	504	190	505	
Myooke of Myohoung, ..	53	32	53	
ditto Rathaidoung ...	36	32	36	
ditto Mengbra, .	20	20	20	
ditto Orecttoung east, ...	22	22	22	
ditto ditto west, .	14	14	15	
Total,	1,130	638	1,134	

13. In all there is an increase of 35 cases, these occurred mostly at the Naaf, in the Assistant Commissioner's Court Akyab, and the Extra Assistant Commissioner Koladan there were also more than in 1866, but in all the other Courts there were fewer excepting at Rathaidoung were there was no difference.

14. In accordance with the suggestion contained in the Extract from a letter from the Offg Assistant Secretary to the Chief Commissioner of British Burmah No. $\frac{1501}{300}$ dated 15th August 1867 which accompanied your docket No. 103 dated 3rd September 1867, I have prepared a table attached showing the result of application for execution during the year at the different Courts—the average number

of days, before these applications were closed is not great except at the Naaf, and there it is accounted for by the small establishment, that the Extra Assistant Commissioner there has, and the quantity of work that falls to him, he has like the Myookes only one writer whereas the E. A. Commissioner's and Assistant Commissioner's Courts at Akyab have two, an English and Burmese writer, and when it is remembered, that a European officer is as a rule, obliged to make his writer his spokesman in examining and questioning the parties, it will be seen that one writer, is insufficient and the work will be delayed. Besides a European officer has English correspondence, and as he has no clerk, he must do both Magistrate's and clerk's work.

15. The average duration of these applications in the Akyab Courts, is I consider good, but there the Courts, besides having fuller establishments, have a bailiff.

16. Since the removal of the Treasurer, the Bailiff's duties here have been much increased, he has the frequent carrying of money to the Bank and more frequently the bringing of money from it. He has to bring the pay of the different interior Courts from the Bank and forward it to the Superintendent of Police, for transmission; this in addition to the issuing of Civil Processes, and the execution of decrees is more than one man can do properly and I therefore consider, there should be, as was formerly the case, a Naib Bailiff to these Courts on a salary, of Rs. 30 a month giving security for Rs. 800.

17. I shall call the attention of the Extra Assistant Commissioner Naaf, to the very long time, the applications for execution, have been on the file and trust such will be avoided in future.

As regards the costs, some of the Courts, have made a mistake and included in them the costs of the Suit. The costs of the decree holder was entitled to should have been shown, in Col. 3 and in Col. 4 the actual costs of execution only, but is was too late, to get this altered when the returns from the subordinate Courts were received; but the Courts of the E. A. Commissioner Naaf, Tsietkay, Mrohoung, Mengbra, Ooreetoung East and West, will be called on for revised ones.

Statement shewing the result of applications for Execution in Civil Suits in the Courts.

1	2	3	4	5	6	7	8	9	10	11	12	13
TOWNSHIP.	No. of Applications.	Amount of decree in value of property decreed.	Costs of Execution.	Recovered in full through Bailiff.	Recovered in part through Bailiff.	Imprisoned.	No. Assets Judgment debtor discharged.	Struck off Judgement debtor not found.	Struck off through decree-holders's fault or desire.	Average number of days the case was open, vide column 5 and 6.	Longest days any case was open, vide column 5 and 6.	Transferred to other Courts on standing order.
Asst. Commissioner Akyab ...	26	12,392 12 5	202 11 2	11	1	1	1	12	1	10.6	20	1
E. A. Commissioner Akyab ...	128	12,510 2 6	258 14 6	42	15	5	....	24	39	5 27	42	4
Do. Naaf	43	1913 3 9	340 6 8	27	6	...	1	4	.....	33.56	87	6
Do. Koladan	10	1756 " ...	24 4 ...	3	.....	...	.....	.....	7	17.00	69	.....
Tsietkay	110	19,601 6 7	2258 ... 1	37	20	4	.....	21	21	11.62	75	5
Mrohoung	30	2935 13 7	557 1 1	29	1	...	.....	.....	.....	10.80	27	.....
Rathaidoung	28	2151 11 10	30 4 ...	23	1	...	....	4	.....	13.82	35	.....
Mengbra	10	1363 15 ...	159 9 ...	10	.....	...	.....	.....	.....	5.70	20	.....
Ooreettoung East	11	684 2 8	105 12 1	7	.....	1	.....	1	2	14.09	65	.....
Do. West	11	888 5 4	279 11 4	10	.....	...	.....	.....	.....	17.30	31	1

19. Major* E. J. Spilsbury was Deputy Commissioner from 1st January to 31st December 1867; he sat during this time 72 days for the disposal of Civil business, to 98 days devoted to it in the year 1866.

The following statement shows the work done by the above named officer:

Name and Official Designation	Appeals.				Original.			
	Regular.		Mis:		Regular.		Mis:	
	Decided on trial.	Finally disposed of	Decided on trial.	Finally disposed of.	Decided on trial.	Finally disposed of	Decided on trial.	Finally disposed of.
Major* Spilsbury Deputy Commr in 1868.	123	131	6	6	...	...	32	57
Do in 1866	122	144	6	6		2	31	30

21. In para 3. I have already given a cause for more appeals being pending than in 1866, to this I would add that Mr. J. Hind being dangerously ill, was allowed privillege leave for three months from the †14th July, on the understanding that Mr. Ireland the Magistrate would take up the Civil duties, but that officer was transferred to Kyouk Phyoo, in consequence of which Mr. Hind's duties in addition to my own devolved on me from the ‡4th July to the 10th October, the date of his return, and for 29 days also I was doing Magistrate's duty in addition, and necessarily during that time I could devote but very little time to Appeals. this will I trust be held explanatory of any apparent dilatoriness.

22 The following Officers were the Assistant and Extra Assistant Commissioner's, Tsiet-kay, and Myookes in this District throughout the year.

23. The Statement shows the number of suits decided on trial by each Officer, the number of Appeals prefered

* Corrected from Lieut. Colonel by Commissioner of the Division.
† Corrected from 7th July by Commissioner.
‡ Corrected from 7th July by Commissioner.

from their decisions, and the results of those disposed of during the year are shown below.

Names and Official Designations.	1	2	3	4	5	6	7	8	9	10
				Appeals.						
	Suits decided on trial in lower Court.	Pending at the close of '66.	Received during the year.	For trial during the year.	Number confirmed.	Number reversed.	Number modified.	Number rejected.	Otherwise settled or adjusted.	Pending at the close of 1867.
Assistant Commissioners										
Mr. J. Hind from 1st January to 13th July and from 10th October to 31st December 1867.	17	..	4	4	3	...	..	...	1	..
Moung Shway Taw from 17th July to 5th August 1867. ..	1	...	..	...	..	...	..	...	...	...
Lt. C. M. Poole from 5th Sep. to 22nd November 1867.	37	..	5	5	4	..	...	..	...	1
Extra Asst. Commissioner.										
Mr. R. A. D. Pereau from 1st January to 17th Nov. 1867.	143	2	21	23	12	5	5	...		1
Mr. C. D. C. Lloyd Assistant Commissioner office from 18th Nov. to 31st December 1867.	19	...	4	4	..	.	...	...	...	4
Mr. T. W. Hunt from 1st Jan'ry to 31st December 1867.	85	3	16	19	11	4	1	...	2	1
Moung Kullah Do Do ...	51	..	13	13	5	2	3	...	2	1
Tsietkay.										
Moung Shway Taw from 1st Jan'ry to 31st December 1867.	218	5	26	31	18	3	4	..	2	4
Myookes.										
Moung Phaphroo Mrohoung from 1st to 31st December /67.	139	...	6	6	2	..	4	...	..	..
Moung Htoon Oo Rathaidoung 13th Jan.to end of the year. ...	66	1	7	8	4	1	1	.	..	2
Moung Kullah, Mengbra 1st December to 31st &c. ...	84	...	10	10	2	4	3	..	..	1
Moung Nhing Ooreetoung East Do	35	1	15	16	7	4	3	...	1	1
Htoon Oo from 1st to 6th January 1867.	..	...	1	1	1	...	...	...	..	...
Moung Kyawzan from 7th to 23rd August 1867. ...	26	...	5	5	2	2	1	..	..	...
Moung Shway Too 24th August to 11th Dec'ber 1867.	8	..	2	2	.	2	..	..	..	..
Moung Being from 12th to 31st December 1867.... ..	2	...	..	..	...	...	...	...	..	...
Total, ...	931	12	135	147	71	27	25	...	8	16

24 In the Assistant Commissioner's Court during Mr. J. Hind's absence on privilege leave the Tsitkay took up one case, Lieut. Poole also heard suits in that Court the value of which did not exceed Rs 100, the appeals against their decisions were all thrown out except one adjusted and one pending.

25. In the E. A. Commissioners Court Mr. Perreau presided till 17th November, against his decisions 21 appeals were decided and two of 1866 were pending, of these 5 were reversed 5 modified, one is pending, and the remainder confirmed.

26 Mr. C. D. C. Lloyd has presided in that Court since, no appeals against his decisions have been heard.

27. Against Mr. Hunt's decisions there were 16 appeals and 3 of 1866 were decided this year, the result is favorable also, 11 were confirmed 4 reversed and 1 modified, 2 adjusted and 1 pending.

28. Against Moung Kullahs decisions there were 13 appeals, of these two were reversed, 3 modified and 5 confirmed, remainder adjusted or pending; not so satisfactory.

29. Against the Tsitkay there were 31 appeals, not many for the number of suits he decided, of these 3 were reversed, 4 modified and 18 confirmed. As this is his first complete year as Tsitkay the result I consider very favorable.

Myooke of Ooreetoung West.

30. The Myooke Moung Nhing has not done well, of his 35 suits, 15 were appealed and of these, all but one-half were reversed or modified.

Myooke of Mrohoung.

31. There have been few appeals against Moung Phaphro decisions, of these 2 were confirmed and 1 modified.

Myooke of Menbya.

32. Moung Kullah was promoted from a Kyonokship at the end of 1866, there were 10 appeals against his decisions, of these only 2 were confirmed, this is not satisfactory.

33. Shway Too acted for more than 4 months, there were 2 appeals against his 8 decisions and both were reversed, his inexperience is his excuse.

Acting Myooke of Oorettoung West.

From the other Myooke's (noted marginally) decisions, the result of the appeals and the smallness of the number show that he is careful and usually accurate in his judgement.

Rathaidoung Myooke Moung Twonoo.

Moung Kyauzan was removed from inability to pass the examination, the appeals against his decisions were rather numerous and the result not very favorable.

Offg. Myooké Ooreettoung West.

36. With the exceptions I have pointed out, I consider that the result of the appeals is favorable to the officers of the lower Courts.

37. The number of appeals was exactly the same as in 1867.

38. The following statement shows the cases in which the parties were personally present before the Court.

Offical designation.	In which plaintiff was personally present before the Court.	In which defendant was personally present before the Court.	In which both parties were present before the Court.
APPEALS.			
Deputy Commissioner Akyab, ...	79	...	52
REGULAR.			
Assistant Commissioner Akyab, ...	11	1	50
Extra Assistant Commissioner Akyab,	39	32	158
ditto Naaf, ...	17	3	194
ditto Koladan, ...	20	1	21
Tsitkay Akyab, ...	85	3	296
Mrooke of Mrohoung, ...	13	72	139
ditto Rathaidoung ...	75	...	63
ditto Mengbra, ...	2	...	140
ditto Oreettoung East, ...	39	9	45
ditto ditto West, ...	25	10	28
Total, ...	326	131	1,134

39. The average duration of suits in the Deputy Commissioners Assistant and Extra Assistant Commissioners Tsietkay's and Myooke's Courts is shown in the following table.

	1866.		1867.		Improvement.		Deterioration.	
	Months.	Days.	Months.	Days.	Months.	Days.	Months.	Days.
APPEALS.								
Deputy Commissioner Akyab, ...	1	12	1	28	...	...	...	16
REGULAR SUITS.								
Deputy Commissioner Akyab, ...	1	13	...	...	...	...	...	...
Assistant Commissioner ditto, ...	...	13	...	16	...	...	...	...
Extra Assistant Commissioner ditto, ...	...	4	...	4	...	...	...	...
ditto Naaf, ...	...	17	...	19	...	...	...	2
ditto Koladan, ...	...	11	...	18	...	...	...	7
Tsietkay Akyab, ...	...	17	...	9	...	8	...	...
Myooke of Mrohoung, ...	...	9	...	8	...	1	...	...
ditto Rathaidoung, ...	...	18	...	6	...	12	...	...
ditto Mengbra, ...	...	7	...	8	...	...	...	1
ditto Oreetoung East, ...	...	14	...	18	...	...	...	4
ditto ditt West, ...	...	6	...	20	...	...	...	...
Total, ...		14		11		3		

40. The increase of 16 days is owing, besides the reason given in Para. 3 and 21 to 2 appeals having been very long on the file, as they were returned for retrial and resubmission under Section 354 of the Code of Procedure the Quarterly average was thus:—

1st Quarter 2 months and 9 days owing to my absence in the interior on circuit for sometime.

2nd " 1 " 17 do do

3rd " 2 " 19 owing to the reason given in Para: 21.

4th " 1 " 11 do do

41. At the Naaf and Koladan, the extra number of suits has caused the deterioration, but at Mengbra and

Ooreetoung East, there are no satisfactory grounds apparent.

42. In the Tseitkays and Rathaidoung Courts there has been a marked improvment, and also one day in the yearly average at Mrohoung is satisfactory.

43. On the whole there is an average of 3 days improvement, 11 against 14 of 1866 which year was again an improvement on 1865.

44. There are 41 Pleaders at the Court, 3 died during the year 6 at Myohoung, 1 at Naaf, 2 at Ooreetoung; West 3 at Rathaidoung, 2 at Koladan, 9 at Menbya, 2 at Ooreetoung East, and the remainder 20 here, they are all Pleaders of the 3rd class, of their intelligence and abilities I can say little in their favor.

45. Deeds were registered here by Assistant Commissioner and at the Naaf by the Extra Assistant Commissioner, the Books of the former have been lately examined and found correctly kept, those at the Naaf were inspected in March and found correct, the entries were very few.

46. The Registers are all properly kept and those of my Courts monthly examined.

The Subordinate Courts have also been directed monthly to examine theirs, and note those in the day they do so.

47. When in the District in December last, I made a point of closely examining the records of the Courts noted marginally, and found them in satisfactory order—those of the E. A. Commissioner Naaf and Rathaidoung were examined in March last. The report in detail on these examinations will be submitted as directed after 31st March next.

Koladan Mrohoung Mengbyah Ooreetoung East, Do. West.

48. The former Bailiff was dismissed on the 3rd instant for gross neglect of duty and disobedience of orders, in neglecting to have put up away 18 chests of opium arrived by steamer as directed, this was a serious offence, but his constant instances of disobedience and neglect for a long time, rendered his dismissal requisite.

49. The present Bailiff was received from the Magistrates Court, he has given security for Rs. 2000 in landed property duly estimated and valued.

50. The Gazettes are properly filed.

51. The library books are entered in the register and filed.

52. The records are filed and arranged up to 1867.

CHARACTER OF THE SUBORDINATE JUDGES.

53. Mr. J. Hind Assistant Commissioner has been the whole year and has carried on his duties to my satisfaction.

54. Mr. Hunt has now been for over 3 years at the Naaf a place seldom visited by any European, he works hard and I am very well satisfied with his conduct, he has passed both in Burmese and the lower Standard Examination in Law, and I trust as a reward for his long services, able discharge of his duties, and so continued a seclusion from European society, the Chief Commissioner may be pleased to promote him.

55. Mr. R. A. D, Perreau was Extra Assistant Commissioner to 17th November, when he was transferred to Bassein, he performed his duties to my entire satisfaction.

Lt. M. C. Poole was here from 5th September to 22nd November as Assistant Commissioner, and during that time he showed himself possessed of good abilities and a clear head and performed his duties in a very satisfactory manner.

57. Mr. C. D. C. Lloyd only arrived on the 18th November, it would be premature yet for me to pass an opinion on his capabilities.

58. Moung Kullah, Extra Assistant Commisssioner is not very bright, and his working days are over, but he has served Government long and faithfully.

59. Shway Taw Tsietkay is an intelligent officer and very well fitted for his office.

60. Moung Thadoway Myooke of Rathaidoung was transferred to be Tsietkay in Sandoway in January 1867, and Iltoon Oo succeeded him from Ooreetoung West, he and Phaphroo Myooke of Mrohoung, and Moung Kullah Mengbra Myooke, have all performed their duties well.

61 Moung Nhing Ooreettong East Myooke, is not in my opinion worthy of his post, but a further report about him will be made.

62. Moung Kyawzan Myooke of Ooreettong West was removed from incapability of passing the required tests on the 23rd August. Shway Too writer in the Commissioner's Court officiated till 10th December, when Moung Being the late Akhonwon of Ramree joined, of his capabilities I can yet pass no opinion.

I trust that this Report my be deemed satisfactory.

I have the honor to be

Sir,

Your most obedient servant

E. J. SPILSBURY,

Deputy Commissioner.

Corrections made in the Commissioner's Office, entered in notes at the foot of the pages

SECTION II.

—oo—

JUDICIAL.

CIVIL JUSTICE, RAMREE DISTRICT.

1. Report of the Administration of Civil Justice in the District of Ramree for the year 1867.

2. The following was the state of the Regular files on the 1st January 1867 and 1st January 1868.

	1867	1868
Deputy Commissioner of Ramree,	"	"
Tseetkay of Kyouk Phyoo,	3	"
Myooke of Ramree,	"	"
Do of Aeng,	"	"
Do of Chedubah	*"	1
Total... ..	*3	1
Increase,...	"	"
Decrease, ..	"	*2

Showing in the number pending on the last mentioned date, a decrease of 2* suits. This is owing to the Tseetkay, and Chedubah Myooke having paid more attention to the state of their file—and is very creditable to both—the one case pending in the Chedubah Court, was owing to the issue of a commission, to examine witnesses in another Court.

3. The number of suits and appeals instituted during the past two years, as below, shows a decrease of 120 cases in the year under review.

* 3, 6, 5, 5 before correction by Commissioner.

	1866.	1867.
Deputy Commissioner of Ramree,	75	55
Tseetkay of Kyouk Phyoo,	211	203
Myooko of Ramree,	228	203
Do of Aeng,	80	81
Do of Chedubah,	221	153
Total	815	695
Increase,	"	"
Decrease,	"	120

The decrease in appeals in Deputy Commissioner's Court speaks well, for the decisions and conduct of cases in the Subordinate Courts in the District.

The decrease in Tseetkay's Court, and increase in Aeng Court, is trifling and calls for no remark.

The decrease of 25 cases in the Ramree Myooke's Court, and 68 cases in Chedubah Myooke's Court, is supposed to be owing to many people having left the Jurisdiction of those Courts.

4 Number of suits and appeals decided on trial and finally disposed of during the year 1866, and 1867, is given in the following form, shows a decrease of 111 in the former, and a decrease of 118 in the latter in the year under review.

	1866.		1867	
	Decided on trial.	Finally disposed of.	Decided on trial.	Finally disposed of.
Deputy Commissioner Ramree ...	75	75	48	55
Tseetkay of Kyouk Phyoo	121	208	114	*206
Myooke of Ramree	75	228	61	203
Do. of Aeng	59	80	53	81
Myooke of Chednbah...	122	224	65	152
Total...	452	815	341	697
Increase .	.	...		.
Decrease ...	.	.	111	118

*Includes the 3 pending cases at the end of 1866.

Decrease attributable to decrease of cases instituted.

5. In the state of the files as regards suits and appeals pending above one year, stood on the 1st January 1867, and 1st January 1868 as follows:—

	1867.	1868.
Deputy Commissioner of Ramree		
Tseetkay of Kyouk Phyoo	None.	None.
Myooke of Ramree ...		
Do of Aeng ..		
Do. of Chedubah		
Total		
Increase		...
Decrease .. .		..

Showing that there were no suits or appeals pending above one year either on the 1st January 1867, on the 1st January 1868.

6. The state of the Miscellaneous files on the 1st January 1867 and 1st January 1868 as follows:—

	1867.	1868.
Deputy Commissioner of Ramree		
Tsitkay of Kyouk Phyoo		
Myooke of Ramree	None.	None.
Do. Aeng .		
Do. Chedubah		
Total		...
Increase ..		...
Decrease		

Showing that none were pending at the close of the year.

7. The following statement shows the number of Miscellaneous cases instituted, and disposed of, in the year 1866, and 1867, as also the number of cases of above one year, standing at the close of those years respectively.

		Instituted.	Disposed of by an order on their merit.	Finally disposedof.	Pending above one year.
1866.	Deputy Commissioner of Ramree, ...	36	20	36	.....
	Tseetkay of Kyouk Phyoo, ...	89	67	89	.....
	Myooke of Ramree, ...	119	90	119	.....
	do Aeng, ...	5	2	5	.....
	do Chedubah, ...	78	48	78	.....
	Total,.....	327	236	327	.....
1867.	Deputy Commissioner of Ramree, ...	5	4	5	.....
	Tseetkay of Kyouk Phyoo, ...	171	137	171	.....
	Myooke of Ramree, ...	130	99	130	.....
	do Aeng, ...	6	5	6	.....
	do Chedubah, ...	40	23	40	.....
	Total,.....	352	268	352	.....
	Increase,.....	25	32	25	.....
	Decrease,.....	.....	.....	.....	.....

Showing an increase of 25 cases instituted and finally disposed of in 1867, chiefly owing to judgment creditors suing out decree; for out of 352 cases, finally disposed of, 172 cases in 48.8 per cent, were for execution of decree, besides which 20 cases objection to attachment of property in execution of decree.

In 4 cases, 4 persons claimed to sue as formâ pauperis.

8. Captain C. E. Watson was the Deputy Commissioner from 1st January to 31st August 1867. He sat during it, 243 days for the disposal of Civil business, and 108 days were devoted to it, in the year 1867.

Mr. W. DeCourcy Ireland was the Deputy Commissioner from 1st September to 31st December 1867. He sat during it, 122 days for the disposal of Civil business, out of which 36 days were devoted to it, in the year 1867.

Name and Official designation.	Appeals.				Original.			
	Regular.		Miscell.		Regular.		Miscell.	
	Decided on trial.	Finally dis'd of.	Decided on trial.	Finally dis'd of.	Decided on trial.	Finally dis'd of.	Decided on trial.	Finally dis'd of.
Capt. Watson Dep'y Com'r.	37	39	1	2	1	1	1	1
Mr. Ireland Deputy Com'r.	10	15	1	1	..	...	1	1
Total, ...	47	54	2	3	1	1	2	2

Thus out of the whole year, 144 days were devoted to disposed of Civil business, viz: 55 Regular and 5 Miscell. This gives an average of 2.4 days to each case in Deputy Commissioner's Court which may be allowed to be a satisfactory result.

9. The following officers were Tseetkay and Myookes in this District throughout the year. The statement shows the number of suits decided on trial by each officer, the number of appeals preferred from their decisions, and the result of those disposed of during the year are shown below.

Name and Official designation.	1	2	3	4	5	6	7	8
	Appeals.							
	Decided on trial.	For trial during the year.	Number confirmed.	Number reversed.	Number modified.	Number rejected.	Otherwise settled or adju'd.	Pending.
M'g Shway Dike Tseetkay's,	114	35	21	8	4	.....	2	....
Nga Htoshway Myooke, ...	61	8	5	2	.....	1	...	.. ..
Hlatoon Oung, do ...	53	10	5	1	.....	3	1	.....
Phoung tha Oo, do ...	65	1	1	...	.....	.....	...	....
Total, ...	*293	54	32	11	4	4	3	

*193 before correction by Commissioner.

A highly creditable result to the officers concerned, from out of 193 cases, decided on trial, only 54 appeals were presented, and out of these 32 were confirmed and 4 rejected, that is in 36 out of 54, or in $\frac{2}{3}$ of the cases, the lower Courts arrived at a just decision.

Out of 114 cases decided on trial, 35 appeals were presented from the decision of Tsitkay (Extra Assistant Commissioner 2nd Class 1st Grade) Moung Shway Dike Kay, of these 21 were confirmed, 8 reversed, 6 modified, or otherwise disposed of, a favorable result for that Officer.

Out of 61 cases decided on trial, only 8 appeals or one out of every 7 cases were presented from the decision of Myooke (Extra Asst. Commissioner 3rd class 3rd grade) Moung Nga Htoshway, out of these in no less than 6 cases the result shows the Judgment of the lower Court was correct; only 2 decision of Myooke Moung Nga Htoshway, out of 61 cases decided by him, were reversed, a result most highly creditable to that Officer, especially when the distance from his Court, being comparatively so short, people could not have been deterred on that account from appealing.

Out of 53 cases decided on trial by Myooke (Extra Asst. Commissioner 3rd class 2nd grade) Moung Hla toon Oung, 10 appeals from his decision were presented, of these his Judgment was confirmed in 5 cases, appeal rejected in 3 cases, 1 otherwise settled and in *only* 1 case out of 53 decided was his order reversed—a result which calls for approbation, especially when the returns of 1866 show, that his order was confirmed in all appeals against his decisions during 1866.

From the orders of Myooke (Extra Asst. Commissioner 3rd class 4th grade) Moung Phoung tha Oo in 65 cases decided by him, only one appeal was presented, and his order therein confirmed—a very creditable result to him in 1866 an equally creditable result was attained by this Officer.

I received charge of this District on the 8th January

1868, so have not as yet had the pleasure of making the acquaintance of Myooke Nga Htoshway, Hlatoon Oung, and Phoung Tha Oo and, except from the result, (shewn above) of their work, know nothing personally about them, but both Captain Watson and Mr. Ireland had a high opinion of each, and considered they performed their several duties satisfactorily.

Tseetkay Moung Shway Dikekay I knew in 1863, he was Tseetkay at Thayetmyo, a high opinion of his qualification as a Civil Judge was not then held, but most creditably to himself, this is, my predecessors show me, changed, and his improvement great. I have perfect confidence in Moung Shway Dikekay, who I consider thoroughly trust worthy and honest.

10. The following statement shows the cases in which the parties were personally present before the Court.

Official Designation.	In which Plaintiff was personally present before the Court.	In which Defendant was personally present before the Court	In which both the parties were present before the Court.
Deputy Commissioner	.....		1
Tseetkay . .	36	41	129
Ramree Myooke .	54	77	72
Aeng Do.	5	5	71
Chedubah Do. .	10	61	81
Total	105	184	354

11. The average duration of suits in the Deputy Commissioner, Tseetkay, and Myooke's Courts is shown in the following table:—

Official Designation.	1866.		1867.		Improvement.		Deterioration	
	Months.	Days.	Months.	Days	Months.	Days	Months.	Days.
Deputy Commissioner,		9	*a* 1	*b*	.	*d*		*f*2.1
Tseetkay,		25		21.7		3 3		
Ramree Myooke,		17.		12.3		4 7		
Aeng Myooke,		19.		15.5		3 5		
Chedubah, do . .		11.		13.7				2 7
Total,		16.2		18 6		*e*		*g*2.4

Showing a satisfactory improvement in 4 Courts of the District. The slight deterioration in the Chedubah Myooke's Court is owing to the witnesses not living in his jurisdiction.

GENERAL REMARKS.

The certificated Pleaders of the District are 15 in number. They are all of the 3rd class; of this number 12 have passed the prescribed examination. The remainder are those who were practising before the examination rules came in force. Throughout the year, no complaints have been made of their conduct. Four deeds have been Registered during the year, but of no great importance. There were no suits in which Government was a party, instituted during the year

The Registers have been well kept up to date

The Gazettes are arranged in good order, and the Library books are in good preservation.

The records have been arranged and kept for destruction awaiting for the inspection of the Deputy Commissioner, the delay was in consequence of the change of Officers.

The Nazir is under good and tangible security to the amount of Rs. 2,000.

a 0 before correction by Comr *e* 3 6 before correction by Comr
b 4 8 " " *f* 0. " "
c 13 6 " " *g* 2 7 " "
d 3 2 " "

As a new incumbent of the office, my thanks are due to the Clerk of the Court, Htoon Aye, for the satisfactory and clear manner in which he has given me all and every information I required from him.

W. C. PLANT, CAPTAIN,

Dated 20th Jan'y 1868. } *Deputy Commissioner,*
D'y Comm'rs Court. } *Ramree District.*

—oo—

No. 6.

Corrections in the Commissioners office entered in foot note

JUDICIAL

JUDICIAL CIVIL JUSTICE, SANDOWAY DISTRICT.

1 Report of the administration of Civil Justice in the District of Sandoway for the year 1867.

2. The following was the state of Regular Files on the 1st January 1867*a* and 1st January 1868*b*:—

	1866.	1867
Captain W. W. Pemberton Offg. Deputy Commr. ...	*c*4	.
Moung Shway Boo Offg. Tseikay	1	...
Moung Thadoway Tseikay	.	.
Moung Shway Boo Northern Myooke	1	
Moung Kyaoung Southern Do.	..	...
Total .	*d*6	..
Increase ...	..	.
Decrease ...	*e*6	...

This shows a decrease of *d*6 cases pending in the different Courts.

3. The number of suits and appeals instituted during the past 2 years as below shows a *e*decrease of *f*5 cases in the year under review:—

Before alteration by Commissioner.

a. 1866.
b. 1867
c. 3
d. 5.
e. 5.
f. increase.
g. 217.

	1866.	1867.
Deputy Commissioner's Court	a66	b46
Tsieikays Court	246	c167
Northern Myooke's Court	128	d213
Southern Myookes Court	74	e93
Total ..	f514	g409
Increase	..	h
Decrease ..	...	i5

There was a decrease of *j*20 cases in the year, in the Deputy Commissioner Court (†and 79 cases in the Tseitkay's Court) but an increase in the other Courts of *k*94 cases, original *l* as under:—

In the Court of the Tsitkay †decrease 79*m* cases.
Do. Do. Northern Myooke †increase 75*n* do.
Do. Do. Southern Do. Do. 19*o* do.

There was no case instituted, in which the parties were English, or the documents in that language.

4. The number of suits and appeals decided on trial and finally disposed of during the year 1866 and 1867 is given in the following form, and shows an increase of *p*24 in the former, and an increase of 4 in the latter in the year under review.

	1866.		1867.	
	Decided on trial.	Finally disp'd of.	Decided on trial	Finally disp'd of.
Deputy Commissioner's Court, ...	60	62	q45	50
Tseitkay's Court, .. .	187	247	133	168
Northern Myooke's Court, ...	90	128	168	204
Southern, do do . ..	36	74	51	93
Total.	373	511	r397	515
Increase, ...	.....	.....	s24	4
Decrease, ...	.....	.. ..	.....	.....

(†Added in Commissioner's Court.)

Before correction.

a. 67. *b*. 62. *c*. 101. *d*. 266. *e*. 0. *f*. 515. *g*. 732. *h*. 207. *i*. 0. *j*. 5. *k*. 202. *l*. "and Miscellaneous" taken out by Commissioner. *m*. 34. *n*. 141. *o*. 27. *p*. 28. *q*. 49. *r*. 401. *s*. 28.

It will be observed that there is a large decrease of suits in the Tseikay's Court in Sandoway, but a greater increase in the suits in the Courts of the Myookes. This I believe to be in great measures a consequence of the high prices of 1866.

In the Tseikay's jurisdiction transactions for money are more frequent, and the cases were decided in 1866, but in 1867 after harvest more cases were instituted in the remote parts of District for Paddy, for which advances had been received by the cultivators in 1866, the increase in the number of original suits for debt was 63, and of appeals in suits of the same sort 3 suits.

There is a very large decrease of in the number of suits for land amounting to 40 original suits, and 12 appeals. This is due to various causes, first, with time, the Act of limitation has become better known and fewer suits are instituted, which would be barred under that Act, and the difference in the functions of the Revenue and Civil Suits in regard to granting new lands, more especially those formed in the streams by alluvial deposit are more defined, and again the last two monsoons not having caused the rivers to overflow, fewer new deposits have been formed.

STATEMENT No. 4 IS BLANK.

5. The state of the Miscellaneous files on the 1st January 1867 and 1868 was as follows:—

	1867.	1868.
Deputy Commissioner's Court,	..	..
Tseikay's Court,	2	.
Northern Myooke's Court,	...	...
Southern do do	..	..
Total,	2	...
Increase,	...	.
Decrease,	.	2

6. The following Statement shows the number of Miscellaneous cases instituted and disposed of in the year 1866 and 1867, as also the number of cases of above one year, standing at the close of these years respectively.

		Instituted.	Disposed of by an order on their merits.	Finally disposed of.	Pending above one year.
1866.	Deputy Commissioner's Court, ...	2	2	2	.....
	Tseitkay's Court, ...	118	114	118	.....
	Northern Myooke's Court, ...	22	22	22	.....
	Southern do do	5	3	5	.....
	Total, ...	147	141	147	.....
1867.	Deputy Commissioner's Court, ...	16	12	16	.....
	Tseitkay's Court, ...	a133	135	135	.....
	Northern Myooke's Court, ...	66	66	66	.....
	Southern do do	8	5	8	.....
	Total, ..	b223	218	225	.....
	Increase, ...	c76	77	d78	.....
	Decrease, ...	.....	...	...	.....

Showing an increase of 376 cases instituted, 77 disposed of on their merits and 378 finally disposed of.

This is also to be attributed to the high price of 1866, many decrees which would have b en useless to enforce in that year, were necessarily postponed until money was less scarce.

7. Captain W. W. Pemberton, was Deputy Commissioner throughout the year, and sat 132 days for the disposal of Civil business.

There was no case pending for more than a year in any Court of the District.

before correction.

a 135 *b* 225 *c* 779

8. The following statement shows the work done by the above named Officer.

	Appeals.				Original.			
	Regular.		Miscel.		Regular.		Miscel.	
	Decided on Trial.	Finally disposed of	Decided on Trial.	Finally disposed of	Decided on Trial.	Finally disposed of.	Decided on Trial.	Finally disposed of.
Capt. W. W. Pemberton, Offg D. Commissioner. ..	48	49		. .	1	1	12	"

9. The following Officers were the Tseitkays and Myookes in the District during the year, the Stat. of the No: of Suits decided on trial by each Officer, the No: of Appeals preferred from their decision, and the result of those disposed of during the year, are shown below.

	1	2	3	4	5	6	7	8
	Appeals.							
	Decided on Trial.	For Trial during the year	No. Confirmed.	No. Reversed.	No. Modified.	No. Rejected.	Otherwise settled.	Pending.
Moung Shway Boo, Offg. Tseitkay, .	8	10	6	3	.		1	..
Moung Thadoway, Tseitkay, ...	125	22	10	7	2	...	3	..
Moung Shway Boo, Northern Myooke, .	168	11	9	1	...	...	1	...
Moung Kyaoung, Southern do .	51	6	1	4	1	...	..	...
Total, ...	352	49	26	15	3	..	5	...

Moung Shway Boo Myooke of the Northern Division officiated as Tseitkay in addition to his own duties from the commencement of the year until 27th January 1867.

Moung Thadoway on promotion joined his appointment as Tseikay on the 28th January 1867.

Moung Shway boo was Myooke of the North Division throughout the year.

Moung Kyaoung was Myooke of the South Division throughout the year.

The result of appeals from Moung Shway boo as Tseikay is as follows; he decided 8 cases in the year 1867, and from his decisions there were 10 appeals, but these of course included appeals against decisions given in 1866, of the 10 appeals, the decision of the lower Court was confirmed in 6 or 60 per ct. reversed in 3 or 30 per ct. and one or 10 per cent was otherwise settled.

Moung Thadoway decided 125 cases of which 22 were appealed against, of these 10 or 45 per cent were confirmed, 7 or 31 per cent were reversed, 2 or 9 per cent modified, and three otherwise settled.

Moung Shway boo as Myooke decided 168 cases of which 11 were appealed against, of these 9 or 81 per cent were confirmed 1 reversed or 9 per cent, and 1 or 9 per cent otherwise settled, a result very favorable to that officer.

Moung Kyaoung the South Myooke decided 51 cases of which 6 were appealed against, of these one (1) or 16 per cent was confirmed, 4 or 66 per cent reversed, and (1) or 16 per cent modified.

It is to be observed however, that while there has been an increase of 12.4 per cent of original suits decided on trial, there has been a decrease of 20 per cent in appeals, and that the No. of cases in which decisions of the lower Courts have been reversed or modified is 19 this year compared with 23 cases last year, so that the proportion in which decisions of the lower Court were reversed or modified to original suits decided was 7 per cent the year before last, and but 5 per cent last year. the proportion of decisions reversed or modified, to appeals decided was 55 per cent in 1866, and 37 per cent in 1867.

Of the cases reversed 2 were for want of stamped documents, and 2 regarding land, were the appeals to Court considered barred by lapse of time.

5 were reversed for want of sufficient evidence, in two others the lower Court came to a wrong conclusion on the facts of the case, and one was reversed the lower Court having mistaken the effect of a mortgage bond.

In one case of defamation the ground of action did not appear to be sufficient to justify the action, and in one which was the most important case in the year, a suit was brought against a Cazee for ex-communicating one of his flock. In this the lower Court gave a decree against the Cazee, but the appellate Court did not consider that as the facts were admitted, the Courts had power to give damages for a fair opinion which was not even shown to be wrong.

In another the Civil Court, upset a grant of land by the Revenue authorities on the ground of the Revenue Rules not having been properly carried out clearly exceeding its power,

In the 3 modified, one was a disputed claim for money, one for goods sold in which were included spirits, which the appellate Court disallowed, the sale being illegal and in the 3rd the signature to a bond was disputed by one of the persons against whom a decree was given which the appellate Court did not consider proved,

Regarding the character of the officers the Tseikay Moung Thadoway is a zealons intelligent officer, he has a good knowledge of form and Procedure,

Moung Shway boo the Northern Myooke is a good Judicial officer well worthy of advancement, he has also a good knowledge of Procedure,

The Tseikay Moung Thadoway and Myooke Moung Shway boo, invariably frame issues in the cases tried by them, the issues are generally correct and to the point, and their decisions clearly given,

The Southern Myooke Moung Kyaoung is old, I can hardly say that he is efficient but he does his best,

The following statement, shows the cases in which the parties, were personally present before the Court.

	In which Plaintiff was pesonally present before the Court.	In which Defendent was present before the Court.	In which both parties were present before the Court.
Deputy Commissioner's Court, . ..	....	.....	1
Tseikay's Court, ...	25	3	140
Northern Myookes Court, ...	37	.....	167
Southern do do	21	21	51

The average duration of suits in the Deputy Commissioner's, Tseikay's and Myookes Courts is shown in the following statement.

		1866.		1867.		Improvement.		Deterioration.	
		Months.	Days.	Months.	Days.	Months.	Days.	Months.	Days.
Deputy Comr's Court,	APPEAL, . ..		8	...	17	....	..	....	9
	ORIGINAL ..	...		1		.....	.....	1	.....
Tseikay's Court,			12	..	8	....	4	.....	.....
Northern Myooke,		..	10	..	6	.. .	4	.....	.....
Southern do		.. .	9		10	.....	.. .	.....	1

There is a deterioration in the Appeal cases in the Dy: Commissioner's Court of 9 days and 1 month in one original case, and is due in great measure to a case in which the respondent being at Bassien, the summons was not returned for, for 2 months and some other cases in which the parties were at Ramree, or in remote parts of

the district, as also to the cases pending, from last year, the No. of cases decided in one day, that is in which the plaint was presented defendant summoned and judgment given in one day, was 22, in 2 days 25, in 3 days 63.

There is an improvement of 4 days in the Courts of the Ts'ikay and Northern Myooke, and a deterioration in the Court of the Southern Myooke of one day.

12. There was no suit of any consequence calling for special remark nor any to which Government was a party.

13. There was no examination of Pleaders during the year, there being no candidates.

14. From the yearly returns it will be observed the value of the suits instituted in 1866 as compared with 1867 was

	In 1866.				In 1867.			
Appeals	Rs.	6116	11	8	Rs.	2778	1	0
Original suits	Rs.	22636	3	3	Rs.	16513	3	0
Total,		28753	1	11	Total,	19291	4	0

There is a decrease in the average value of the suits, In 1866 there were 65 appeals and 449 original suits, which gives an average value of 94 Rupees for appeals, and 50 Rupees for original suits.

In 1867 there were 48 appeals and 463 original suits, which gives an average value of 60 Rupees for appeals and 35 Rupees for original suits.

The value of stamps in law papers filed during the two years was in 1866 Rs. 2180 0 0
in 1867 Rs. 2150 0 0

Shewing that the cost of stamps in appeal and original suits amounted to 7 per cent. in 1866, and 11 per cent. in 1867.

There is an increase of original and appeal suits in the first Quarter, and a decrease in both in the other Quarters, this is in all probability due to the increased rate of stamp

duty for plaints, but it may be exceptional as regards this District, and I cannot positively ascribe the decrease to that cause.

15. Three deeds referring to Civil business were registered during the year.

16. The Registers of the different Courts are kept up in correct Form and proper order, I inspected the books of Northern Myooke, during the past year, they were kept up to date, and in good order, Records of Civil cases are in good order, frequently dried.

17. Agreeably to Circular Order of the Sudder Dewanny Adawlut No. 167, dated 3rd March 1852 record of cases appertaining to Nuthee A. for the year 1854, have been destroyed and those appertaining to Nuthee B. for the years 1860 to 1864.

18. The security of Nazir is fixed at Rs. 1,000 and is good and sufficient.

SANDOWAY,
Dy: Commr's. Office,
The 18th January, 1868.

W. W. PEMBERTON,
Offg. D'y Commissioner.

PEGU DIVISION.

No. 44, COURT.

To

THE SECRETARY TO THE CHIEF COMMISSIONER,

BRITISH BURMA,

RANGOON.

Rangoon 18th April 1868.

SIR.—I have the honor to submit my Annual Civil Report on the working of the Courts in my Division for the year 1867.

The District Reports and Returns come in as below.

District.	Date of Report.	Received at this office.	Date of last supplying paper or explanatory Report.	Received at this office.	Remarks.
Canton't Rangoon,	10 Feb -68	14 Feb,-68.			The explanation sent from Prome was not complete
Rangoon District,	2nd March"	2nd March"			The Deputy Commissioner promised to send what was required by the next Steamer expected here on the 21st instant
Bassein do	18th Jan "	10th Feb. "	14 March68	19March68	
Myanoung do	6th March"	9th March"			
Prome do	4th " "	9th " "	25 March68	6th April "	
Toungoo do	20 Jan "	9th Feb. "	31 March68	8th " "	

I have the honor to be

Sir,

Your most obdt. servant.

R. D. ARDAGH,
Commissioner of Pegu.

CIVIL JUSTICE

Annual Report of the Pegu Division, Province of British Burma for the year 1867.

I. TABLE OF SUITS.

The Returns show as follows:—

	Pending.				Instituted			Disposed of.				Pending.				Amount of value of property litigated in original suits.
	Appeals and 2nd appeals.	Original suits.	Miscell:	Total	Appeals and 2nd appeals.	Original suits	Miscell:	Total	Appeals and 2nd appeals.	Original suits	Miscell:	Total	Appeals and 2nd appeals.	Original.	Miscell:	Total.	
1866.	91	201	20	312	789	13,065	2222	16,076	820	13,118	2220	16,158	54	148	22	224	9,37,193
1867.	54	148	22	224	742	12,422	2419	15,583	666	12,354	2416	15,436	130	216	25	371	8,55,806
Increase							197	..			196		76	68	3	147	
Decrease					47	643		487	154	764		722	..	.....		.....	81,887

It will thus be seen that Original suits and appeals have decreased, while there was a slight increase in Miscellaneous cases.

The decrease in the disposal of original suits and appeals and the comparatively large number pending at the close of the year is not so satisfactory as the accounts recorded for the year 1866.

The value of property litigated also it will be seen is rather less than last year.

Appeals instituted

III. Of the 742 cases appealed 36 were before the Commissioner and 706 in the District Courts.

Original cases

IV. The original cases were instituted in Courts as below:—

CLASS OF COURT	No.
I Myookes Courts	8,873
II. Tseekays	2,220
III. Extra Assistant Commr' or Assistant Commissioner.	1,051
Cantonment Small Cause Court	275
IV, Deputy Commissioner's ...	3
	12,422

Classification

V. The classification of suits instituted gave,

	Appeals	Original suits	Total
Suits connected with immoveable property ...	274	886	1160
Suits not connected with Do.	468	11,536	12,004
TOTAL	742	12,422	13 164

By Districts

VI. These were by Districts

	Appeals.	Original Suits.	Total.
Commissioner's Court, ...	36	. .	36
Cantonment Magistrate, ...	. .	275	275
Rangoon District, ...	101	1904	2005
Bassein do . ..	115	2774	2889
Myanoung do .. . ..,	161	3179	3340
Prome do	184	3127	3311
Toungoo, do	145	1163	1308
Total, ...	742	12122	13164

Original Cases disposed of

VII. The cases disposed of as compared with last years, were as shown in the table below.

	1866.		1867.	
	No.	Per Cent.	No.	Per Cent
Decided on trial, ...	12062	61.46	7232	58 53
Decreed Exparte, ...	1201	6.12	949	7.68
Compromised, ...	2751	14 02	1745	14.14
Rejected, defaulted or transferred,	3613	18.40	2428	19.65

Result of Appeals

VIII. In appeals the results were,

	Judgement Confirmed.			Judgement interfered with.			Otherwise disposed of	Grand Total.
	Rejected.	For respond't.	Total.	In favor of appellant.	Decreed exparte.	Total.		
1866 ...	33	297	330	372		372	118	820
1867 ..	24	279	303	282	3	285	78	666

Proportion of confirmed Decrees

IX. In 1866, 40.24 per cent of the cases appealed had the petition of appeal rejected or were upheld on trial. In 1867, the percentage was nearly 46.

Costs of Litigation in original suits

X. As already stated the amount of value of property litigated in original suits was computed to be 8,55,306 Rupees. The costs

of litigation in these suits were 1,13,625 Rupees or 13 28 per cent. on the value. In this is included the value of stamps 73,079 Rs. or 8 54 per cent., which leaves 4.74 per cent. for Pleaders fees and other miscellaneous costs.

Last year the proportion of costs was 12.33 per cent., including a fraction more than 7 per cent. for stamps.

XI. The Act then by which Schedule B has been remodelled appears to have affected the costs in original suits to the amount of about 1½ per cent.

Increase whether owing to Act XXVI of 867

XII. I subjoin a table showing the value of the Stamps and the number of the suits instituted for the year 1866 and 1867.

Table

District.	Years.	Appeals		Original suits.		Misc:	
		Value of Stamps.	No. of cases instituted	Value of Stamps	No. of cases instituted,	Value of Stamps.	No. of cases instituted.
Commissioner of Pegu	1866	544	47			16	87
	1867	540	36			137	89
Cantonment Magistrate ..	1866			903	297	...	
	1867	...		1105	275	..	
Rangoon District .	1866	2445	142	15,790	2052	1168	305
	1867	1821	101	17,203	1904	830	337
Bassein District ...	1866	1669	137	5,988	2926	630	449
	1867	1361	115	17,003	2774	697	545
Myanoung District .	1866	1005	148	15,766	3688	590	467
	1867	484	161	18,519	3179	457	411
Prome District .	1866	2039	183	11,075	2991	548	437
	1867	1425	184	17,938	53127	451	393
Toungoo District .	1866	a1105	126	6368	1111	631	477
	1867	1264	145	6310	1163	599	645

XIII. *Captain Lloyd* (Deputy Commissioner Rangoon) does not fully explain the cause of decrease in his Original suits.

District officers comments

a 1005 as sent in by Commissioner.
b. 3126 ditto

Mr. Beddy (Dy. Commissioner Bassein) attributes the falling off in suits to the enhanced Stamp duty.

Major Hildebrand Dy. Commissioner *Myanoung*, who complains of being overworked, regards the decrease of litigation in his District to be "most satisfactory." I have at his suggestion directed translates of Schedules A and B to be prepared and printed on broad sheets so that they may be suspended in every Myooke's Court and every Stamp Vendor's Office, and allow the people to see what the present scale is which has to be observed, especially in Plaints connected with land.

The revision of the Stamp Act does not appear to have damped litigation in *Prome* where the suits as well as the Revenue derived from Stamps in Judicial cases has increased.

In *Toungoo* the Deputy Commissioner explains that there were several pauper suits, which allowed the valuations of his cases to appear to be out of the proportion to the value of the Stamps.

Execution of Decrees.

XIV. The reports of the Deputy Commissioners are defective.

The *Cantonment Magistrate* reports that execution was taken out in 90 cases in his Court. As 223 cases of out of his 275 were decided in favor of Plaintiff either on trial or exparte, this gives rather more than 40 per cent of the decreed cases in which the aid of the Court had to be invoked a second time to enforce its order for payment.

The Deputy Commissioner *Prome* gives the following information regarding the execution of decrees in his Court. I extract what he says, "In regard to the execu-
"tion of decrees passed in the Courts of the Extra Assis-
"tant Commissioner and Tseckay, it would appear that the
"number of decrees given in these Courts during the past
"year was 620."

"Execution was taken out in 79 cases which were set
"tled as follows,"

"In 26 cases the amount were paid at once."

"In 17 cases property was attached and sold."

"In 15 cases persons were confined in jail."

"In 29 cases warrants were withdrawn."

"In 10 cases warrants could not be executed."

The total number of persons confined in the Civil jail "during the past year was 22, and the longest period dur- "ing which any of these was in confinement, was 3 months "and 3 days."

I regret that none of the other Deputy Commissioner's have noticed the execution of Decrees in their Courts, but I have caused a statement to be compiled from the statistical papers which I appended.

Appendix A

XV. A statement accompanies this report which exhibits in detail the duration of suits in the several Courts of the Division.

Duration of suits noticed Appendix B

A. APPEALED CASES

In appealed cases the District Courts took time as below. Both Mr. Beddy and Major Hildebrand give explanation of the cause of delay in their disposal of cases, vide their Reports.

In Rangoon	40 days.	
" Bassein	*a*86	"
" Myanoung	200	
" Prome	*b*42	"
Toungoo	11	"

B. ORIGINAL SUITS.

In the subordinate Courts the average duration in days was for Original suits.

		Deputy Commissioner's.	Assistant Commission's.	Extra Assistant Comm'rs.	Tseekay's	Myooke's.	Remarks
Rangoon	Canton't.	1	...	....			*The average for Rangoon is very high and consequently not satisfactory
do	District.	*210	11	39		17	
Bassein	do	34	9	4	10	2	
Myanoung	do		7	5	6	7	
Prome	do		4	4	2	6	
Toungoo	do	10	5		5	3	

a 76 as reported by Commissioner
b 41 ditto

XVI. Besides the statements accompanying this report I beg to send up each District Officers seperate report exhibiting in more detail the statistics of the civil judicial work performed.

District Officers reports

XVII. The Officers have been those already noticed in the Criminal Judicial report of this Division.

Officers.

Those in Office at the end of the year were,

DEPUTY COMMISSIONERS.

CAPTAIN LLOYD,	Rangoon.
MR. BEDDY,	Bassein.
MAJOR HILDEBRAND,	Myanoung.
CAPTAIN WATSON,	Prome, since transferred to Shway Ghyeen. Report submitted by CAPTAIN STREET.
MAJOR MCMAHON,	Toungoo.

CANTONMENT MAJISTRATE.

CAPTAIN WYNCH,	Since left for Europe, report submitted by MAJOR DUFF.

ASSISTANT COMMISSIONERS.

MAJOR MUNRO. .	Thayetmyo, Prome District.
MR. D. F. LONSDALE	Rangoon.
MR. PHILLIPS,	Prome.
LIEUT. ST. JOHN,	Tharawaddy, Myanoung Dis-
LIEUT. GOWER,	Myanoung. [trict.
MR DUKE,	Toungoo.
LIEUT. FURLONG,	Poungday.
LIEUT. EVANSON,	Rangoon.
LIEUT. POOLE,	Bassein.

EXTRA ASSISTANT COMMISSIONERS.

Moung On	Twantay,	Rangoon District
*Mr. R. McLoed	Rangoon	do
Moung Nagaw	Mengyee, Myanoung	do
Mr. Edward Richardson	Prome	do

Moung Kyawdoon, Henzadah in Myanoung
Mr. Perreau, Ngatheing Gyoung, Bassein
Moung Shway Bo, Pantanau, Bassein,

4. TSEEKAYS.
MYOOKES.

8. in Rangoon
8. in Bassein
8. in Myanoung
9. in Prome
4. in Toungoo besides 2 Nakhans.

Those marked *did not hold any Court for the trial of Civil cases.

II. COMMISSIONER'S COURT.

XVIII. The Civil Judicial work of the Commissioner's Court was as compared with 1866,

Work Done.

Appeals and 2nd Appeals.

Years.	Pending.	Instituted.	Total.	Disposed of.	Pending.	Value of Suits Instituted.	Value of Stamps.	Total cost.
1866	9	47	56	46	10	20,133	544	633
1867	10	36	46	43	3	7,231	540	788
Increase,	*a*1	.....	.....	.....	.....	.....	.....	155
Decrease,	.....	*b*11	10	3	7	12,902	4	.....

27 of the appealed cases were connected with immoveable property and 9 not.

XIX. The cases disposed of during the years 1866 and 1867 are thus shown.

Cases disposed of.

a. 0 before correction, *b*. 9 before correction.

1866.			1867.	
No.	Per cent.		No.	Per cent.
31	67.39	1. Rejected and Decided in favor of Respondent.	17	39.53
6	13.04	2. Decided Exparte and in favor of Appellant.	20	46.51
9	19.57	3. Otherwise disposed of.	6	13.96
46	100.00	Total,	43	100.00

Average duration.

XX. Each case took 44 days to decide on the average, that for 1866 having been 57 days.

Appeals

XXI. Of the 36 appeals, nearly all, that is to say 35 were 2nd appeals, which are of the nature of special appeals, the difference being, that the appeal lies to the Commissioner, when the two Lower Courts judgments differ, and to the Chief Court when they agree.

Proportion of 2nd Appeals Instituted to appeals in District Courts

XXII. The proportion of 2nd appeals in this Court from Regular Appeals in the District Court was.

DISTRICT.	No of Regular appeals in District File meluding pending	2nd Appeals Instituted in Commissioner Pegu's Court	Percentage.
From Rangoon, ...	114	13	11.40
" Bassein,	119	1	0.84
" Myanoung, ...	183	2	1.09
" Prome, .	189	19	a10.05
" Toungoo, .	145		
	750	35	4.66

Do Regular Appeals

XXIII. The percentage of Regular appeals from Original Decrees of the District Court was,

a. 10,52 before correction,

DISTRICTS.	No. of Original Suits on Pr. Commissioner's File including Pending.	Appeals preferred.	Per centage.	RESULT. In favor of Decree.	Against Decree.	Otherwise disposed of.
Rangoon, ...	3	.....	.....	.....	.....	.....
Bassein, ...	1	.....	.....	.....	.....	.....
Toungoo, ...	2	1	50	1	.....	.....

XXIV. The small number of Regular Appeals when compared with 2nd appeals is owing to the valuation of Original Suits in the District Courts being Rupees 5,000 at the lowest.

Comparative reason of small number of Regular Appeals.

Second appeals again may be (after the intermediate Regular Appeal to the Districts Court) on any suit, for any sum short of the above and includes all the partly cases which come originally before the Myookes of Townships, except Small Cause Court cases.

III. Registration of Deeds.

XXV. The Registers are kept up according to Rules originally framed for Pegu on the 10th August 1861, but subsequently made applicable to the whole Province on the 1st July 1865.

Registers kept under what Rules.

The Assistant or Extra Assistant Commissioners at each Town are the Ex. Officio Registrars.

And by what Officers.

XXVI. Deeds have been registered during the year as follows, compared with 1866.

District.	years.	Permanent.	Temporary conveyance.	General.	Wills.	Total.
Rangoon,	1866.	437	292	89	3	771
	1867.	483	542	51	.....	1076

The Deputy Commissioner notices that re-transfers of mortgages appeared by a misunderstanding to have been made on the mortgage bond, by simple endorsement instead of by a fresh deed. This may account for the large increase apparent in the Temporary conveyances.

District.	years.	Permanent conveyance.	Temporary conveyance.	General.	Wills.	Total.
Bassien.	1866.	15	25	15	1	56
	1867.	9	7	11	...	27

The deeds were all registered by the Assistant Commissioner of Bassein. None were registered by the Assistant Commissioner at Pantanaw.

District.	years.	Pemanent. conveyance.	Temporary conveyance.	General.	Wills.	Total.
Myanoung.	1866.	3	19	49	.....	71
	1867.	17	20	31	.....	68

The deeds filed in the permanent and the temporay conveyance registers 37 in Number, were registered at *Henzadah*. Deeds registered at Myanoung were General ones. There were no deeds registered at Mengyee (Tharrawaddy sub district.)

PROME.

There were two registration Offices, one maintained at Prome, the other at Thayetmyo. The increase in registration of deeds in each office is shewn marginally.

Office.	1866	1867	Increase.
Prome,	63	95	32
Thayet,	45	57	12
Total,	108	152	44

District.	years	Permanent conveyance	Temporary conveyance	General.	Wills.	Total.
Toungoo.	1866	23	7	13		43
	1867.	46	4	19		69

There is only one registration Office, that at Toungoo.

Defect in registration noticed

XXVII. From an inspection of the Books, I have thought right to refer to the Chief Commissioner regarding the forms of registers that should be kept up, and suggested that he should obtain information regarding those in use in Bengal, where the offices work under the Act noted in the margin. A method which prevails in this Division of pasting the plain paper duplicate of deeds into a file, and making those do duty for registers, is open to many objections.

Act XVI of 864

General Remarks.

Remarks on arbitration

Appendix C

XXVIII. Arbitration I regret to state that none of the district Officers have reported on arbitration suits. I however append a statement compiled from the statistical returns.

Suits are seldom arbitrated in a regular way, and according to the method prescribed in the Code of Civil Procedure, after previous reference to the Courts, although as a rule the people are generally fond of private arbitration, and especially in land cases, they call in the Loogyees to settle their disputes in the first place, without much of preliminary ceremony The consequence of this want of observance of what is required is that any award is of no avail generally, from the want of an arbitration bond duly signed by the parties interested; and the dissatisfied party comes up in due course and institutes his suit in the Courts as if the whole matter had not been already before the village elders.

The provisions of section 327 allow awards by private arbitrators to be brought into Court within a limited time

to be given validity to, I do not find that this rule, (probably from not being generally known) is taken advantage of, although it is not unusual to have a Defendant pleading a settlement by private arbitration.

Arrangements requisite to lighten the Deputy Commissioners Court work.

XXIX. At the risk of being considered importunate I must again notice the unfair amount of labor that is imposed on Deputy Commissioners of Districts by the want of sufficient Magisterial powers being entrusted to their Assistants.

On the civil judicial side it leads to an accumulation of appeals and a delay in their decision, the work being either got through in a hurry, or the appellants being debarred of having their cases heard, while the Deputy Commissioner is obliged to attend to the more pressing criminal work, which cannot be postponed as a civil appeal can.

In theory it is all very well to say that Assistant Commissioners should only have such and such limited powers as Magistrates, until they pass such and such law Examinations, but in practice it is worse for the country than if they had full powers Every man of them.

I wish to call attention to the Myanoung district. There are two Assistants and two Extra Assistants, of the first class, but with limited powers. The Chief Commissioner will see from Major Hildebrand's report what the assistance rendered by them to him is, and whether it is fair to the Deputy Commissioner to pile the Court work on him that now falls to his share.

Pleaders.

XXX. I think the rules for these want revising.

The Number of district 3rd class Pleaders might be conveniently limited.

Conclusion.

XXXI. In sending up the report I desire the Chief Commissioner's favorable notice of the same and of the several officers from whose papers and reports it has been compiled.

R. D. ARDAGH,

Commissioner of Pegu.

APPENDIX A.

EXECUTION OF DECREES.

DISTRICTS.	No. of applications for execution including pending last year.	No. of decrees completely executed.	Number of decrees partially executed.	Pending at the end of year.	No. of cases in which specific performance was enforced.	Sales of real property.	Sales of personal property.	Sequestration of real property.	Imprisonment.
Rangoon ...	340	238	...	2	.....	185	20	...	33
Bassein ...	256	115	97	8	.....	198	20	..	6
Myanoung ...	356	283	73	...	.....	34	267	40	15
Toungoo ...	268	233	12	23	13	38	59	...	13

R. D. ARDAGH,

Commissioner of Pegu.

[APPENDIX B.—Not received.]

APPENDIX C.

Cases in which decree passed by arbitration.

Bassein	201
Myanoung	59
Toungoo	4

NO. 1.

Statement of Suits of every description Instituted, disposed of and pending before

1	2	3	4	5	6	7	8	9
COURTS,	No. of suits pending at the close of the year 1866.				Number of suits instituted during the year 1867.			
	Appeals.	Original suits.	Miscellaneous cases.	TOTAL.	Appeals.	Original suits.	Miscellaneous cases.	TOTAL.
Commissioners Court	10	...	4	14	36	..	89	125
Cantonment Assistant Commissioner ...	...	...	..	..	..	275	..	275
RANGOON DISTRICT.								
Deputy Commissioner 1st Grade. }	13	2	..	15	101	1	10	112
Do. 3rd Grade. }								
Assistant Commissioner 3rd Grade ...	...	1	4	5	..	32	25	57
Extra Assistant Commissioner 1st Class ...	...	2	1	3	..	175	17	192
Myookes	...	71	8	79	..	1696	285	1981
TOTAL	13	76	13	102	101	1904	337	2342
BASSEIN DISTRICT.								
Deputy Commissioner 3rd Grade ...	4	...	..	4	115	1	55	171
Assistant Commissioner 3rd Grade ...	...	...	..	..	..	365	104	469
Extra Assistant Commissioner 1st Class ...	...	2	..	2	..	228	32	260
Do. Do. 2nd Class ...	...	5	..	5	..	443	103	546
Myookes	...	9	1	10	..	1737	251	1988
TOTAL	4	16	1	21	115	2774	545	3434
MYANOUNG DISTRICT.								
Deputy Commissioner 4th Grade ...	22	...	..	22	161	..	20	181
Asst. Commr, 1st 2nd and 3rd Grade ...	...	...	..	..	..	32	9	41
Extra Assistant Commissioners 1st Class.	...	1	..	1	..	138	23	161
Do. Do. 2nd Class.	...	...	..	..	..	421	49	470
Myookes	...	4	1	5	..	2588	310	2898
TOTAL	22	5	1	28	161	3179	411	3751
PROME DISTRICT.								
Deputy Commissioner 2nd Grade }	5	...	1	6	184	..	76	260
Do. Do. Offg. 4th Grade }								
Asst. Commissioners 2nd and 3rd Grade ...	...	2	..	2	..	32	30	62
Extra Assistant Commissioner 1st Class ...	...	...	..	..	..	23	6	29
Do. Do. 2nd Class ...	...	4	..	4	..	767	163	930
Myookes	...	32	..	32	..	2305	117	2422
TOTAL	5	38	1	44	184	3127	392	3703
TOUNGOO DISTRICT.								
Deputy Commissioner 3rd Grade }	...	1	..	1	145	1	151	297
Deputy Commissioner 4th Grade }								
Assistant Commissioner 3rd Grade		4	1	5	..	26	29	55
Ex. Assistant Commissioner 2nd Class		8	1	9	..	589	397	986
Myookes	...	...	..	..	..	547	68	615
TOTAL	...	13	2	15	145	1163	645	1953
GRAND TOTAL	54	148	22	224	742	12422	2419	15835

No. 1.—Continued.

all the Courts, European and Native in the Division of Pegu for the year 1867.

1	10	11	12	13	14	15	16	17
	No. of cases disposed of during the year 1867.				No. of cases pending at the close of the year 1867.			
COURTS.	Appeals.	Original suits.	Miscellaneous cases.	TOTAL.	Appeals.	Original suits.	Miscellaneous cases.	TOTAL.
Commissioner's Court	43	..	92	135	3	..	1	4
Cantonment Assistant Commissioner ...	..	268	..	268	..	7	..	7
RANGOON DISTRICT.								
Deputy Commissioner 1st Grade. } ..... Do. 3rd Grade }	114	3	10	127	..	..	..	..
Assistant Commissioner 3rd Grade ...	..	28	29	57	..	5	..	5
Ex. Assistant Commissioner 1st Class. ...	..	176	17	193	..	1	1	2
Myookes	..	1671	281	1952	..	96	12	108
TOTAL	114	1878	337	2329	..	102	13	115
BASSEIN DISTRICT.								
Deputy Commissioner 3rd Grade ...	112	1	55	168	7	..	..	7
Assistant Commissioner's 3rd Grade ...	..	359	103	462	..	6	1	7
Ex. Assistant Commissioner 1st Class ...	..	228	29	257	..	2	3	5
Do. Do. 2nd Class ...	..	440	103	543	..	8	..	8
Myookes	..	1731	248	1979	..	15	4	19
TOTAL	112	2759	538	3409	7	31	8	46
MYANOUNG DISTRICT.								
Deputy Commissioner 4th Grade ...	87	..	20	107	96	..	..	96
Asst. Commr's 1st 2nd and 3rd Grade ...	..	32	9	41	..	..	..	..
Ex. Assistant Commissioner's 1st Class .	..	139	23	162	..	..	..	..
Do. Do. 2nd Class.	..	421	49	470	..	..	..	..
Myookes	..	2591	308	2899	..	1	3	4
TOTAL	87	3183	409	3679	96	1	3	100
PROME DISTRICT.								
Deputy Commissioner 2nd Grade } Do. Do. Offg. 4th Grade. }	167	..	77	244	22	..	..	22
Asst. Commissioner's 2nd and 3rd Grade	..	34	30	64	..	..	..	..
Ex. Assistant Commissioner 1st Class ...	..	22	6	28	..	1	..	1
Do. Do. 2nd Class...	..	761	163	924	..	10	..	10
Myookes	..	2281	117	2398	..	56	..	56
TOTAL	167	3098	393	3658	22	67	..	89
TOUNGOO DISTRICT.								
Deputy Commissioner 3rd Grade } ..... Deputy Commissioner 4th Grade }	143	2	151	296	2	..	..	2
Assistant Commissioner 3rd Grade ...	..	27	30	57	..	3	..	3
Ex. Assistant Commissioner 2nd Class...	..	592	398	990	..	5	..	5
Myookes	..	547	68	615	..	..	..	..
TOTAL	143	1168	647	1958	2	8	..	10
GRAND TOTAL	666	12,354	2416	15,436	130	216	25	371

No II.

Classification of appeals and original suits instituted before all Columns 6 and 7 of

	Appeals.				
		Rangoon.		Bassein.	
	Before Commissioner.	Deputy Commissioner's 1st and 3rd Grade.	Total.	Deputy Commissioner 3rd Grade.	Total.
1	2	3	4	5	6
I. Suits connected with immoveable property.					
1 Houses,	.....	1	1	2	2
2 Land,	19	24	24	13	13
3 Mortgage,	2	1	1	.....	.....
4 Fisheries,	.....	1	1	.....	.....
5 Inheritance,	.....	.....	.....	.....	.....
6 Other cases,	6	4	4	1	1
II. Suits not connected with immoveable property.					
1 Debt,	2	19	19	33	33
2 Damages for breach of contract loss or injury to property,	1	1	1	12	12
3 Damages for personal injuries or wrongs,	2	3	3	15	15
4 Marriage or Divorce,	.....	1	1	1	1
5 Inheritance,	.....	.....	.....	1	1
6 Other cases,	4	46	46	37	37
Total,	36	101	101	115	115

No II—*continued*,

the Courts in the division of Pegu during the year 1867, *as per Statement* No I.

APPEALS-*continued*.							ORIGINAL.					
Myanoung.		Prome.		Toungoo.			Rangoon.					
Deputy Commissioner 4th Grade.	Total.	Deputy Commissioner's 2nd and 4th Grade.	Total	Deputy Commissioner's 3rd and 4th Grade.	Total.	Grand Total.	Cantonment Asst. Commissioner 3rd Grade.	Deputy Commissioner's 1st and 3rd Grade.	Asst. Commissioner. 3rd Grade.	Extra Assistant Commissioner 1st Class.	Myooke's.	Total.
7	8	9	10	11	12	13	14	15	16	17	18	19
.....	.....	8	8	.....	.....	11	.....	.....	.....	.....	3	3
53	53	64	64	27	27	200	.....	.....	2	3	73	78
.....	.....	.....	.....	2	2	5	.....	.....	.....	3	7	10
.....	.....	.....	.....	1	1	2	.....	.....	1	1	3	5
.....	.....	1	1	7	7	8	.....	1	3	2	1	7
2	2	33	33	2	2	48	.....	.....	.....	.....	100	100
25	25	22	22	41	41	142	275	.....	10	46	459	790
3	3	8	8	3	3	28	.....	.....	.....	28	75	103
48	48	42	42	2	2	112	.....	.....	2	4	92	98
4	4	5	5	2	2	13	.....	.....	.....	24	35	59
4	4	1	1	.....	.....	6	.....	.....	1	1	.....	2
22	22	.....	...	58	58	167	.....	.....	13	63	848	924
161	161	184	184	145	145	742	275	1	32	175	1,696	2,179

No II—*continued.*

Classification of appeal and original suits instituted before all Courts in Column 6 and 7 of

	ORIGINAL—*continued*					
	Bassein.					
	Deputy Commissioner 3rd Grade.	Assistant Commissioner 3rd Grade	Extra Assistant Commissioner's 1st Class.	Extra Assistant Commissioner's 2nd Class	Myooke's	Total.
1	20	21	22	23	24	25
I. SUITS CONNECTED WITH IMMOVEABLE PROPERTY						
1 Houses,	1	1	2	3	13	20
2 Land,		6	2	4	26	41
3 Mortgage,		6			7	13
4 Fisheries,					3	3
5 Inheritance,				...		
6 Other cases,				...	6	6
II. SUITS NOT CONNECTED WITH IMMOVEABLE PROPERTY						
1 Debt,		260	65	108	574	1007
2 Damages for breach of contract or loss or injury to property,		7	8	199	140	349
3 Damages for personal injuries or wrongs,		11	16	41	273	341
4 Marriage or Divorce,		11	42	86	148	287
5 Inheritance,		3	3	5	1	9
6 Other cases,		63	92	1	542	698
Total,	1	365	228	443	1,737	2,774

No II-*continued*,

the Courts in the division of Pegu during the year 1867, *as per Statement* No 1.

ORIGINAL-*continued*.

Myanoung.						Prome.					
Deputy Commissioner 4th Grade.	Assistant Commissioner's 2nd and 3rd Grade.	Extra Assistant Commissioner's 1st Class.	Extra Assistant Commissioner's 2nd Class.	Myooke's	Total.	Deputy Commissioner's 2nd and 4th Grade.	Assistant Commissioner's 2nd and 3rd Grade.	Extra Assistant Commissioner's 1st Class.	Extra Assistant Commissioner's 2nd Class.	Myooke's.	Total.
26	27	28	29	30	31	32	33	34	35	36	37
.....	.....	.....	6	25	31	.....	1	....	6	4	11
.....	.....	3	47	88	138	.....	....	.....	16	181	197
.....	.....	....	. . .	7	7	.....	.....	....	4	3	7
.....	.....	.. ..	.. ..	3	3	.....	.....	....	....	.....	.....
.....	....	.....	1	7	8	.....	.....	... .	6	10	16
.....	.....	.....	25	52	77	.....	.....	.....	.....	22	22
.....	12	43	76	587	718	.....	15	12	549	543	1119
.....	5	6	18	268	297	.....	1	3	20	218	242
.....	2	44	77	482	605	.....	2	5	39	418	464
.....	6	7	76	267	356	....	.....	1	125	308	434
.....	.....	.....	2	13	15	.....	....	1	2	97	100
.....	7	35	93	789	924	.....	13	1	.....	500	514
.....	32	138	421	2,588	3,179	.....	32	23	767	2,305	3,127

No II–*continued*,

Classification of appeals and original suits instituted before all the Courts in the division of Pegu during the year 1867, *as per Columns* 6 *and* 7 *of Statement* No I.

	Original–*continued*.					
	Toungoo.					
	Deputy Commissioner's 3rd and 4th Grade.	Assistant Commissioner's 3rd Grade.	Extra Assistant Commissioner's 2nd Class.	Myooke's	Total.	Grand total.
1	38	39	40	41	42	43
I. Suits connected with immoveable property.						
1 Houses,	.....	....	4	1	5	70
2 Land,	.....	.....	4	30	34	488
3 Mortgage,	.....	.....	.....	1	1	38
4 Fisheries,	.....	.....	....	2	2	14
5 Inheritance,	.....	....	.....	2	2	33
6 Other cases,	.....	1	12	25	38	243
II. Suits not connected with immoveable property.						
1 Debt,	1	3	189	183	376	4010
2 Damages for breach of contract or loss or injury to property,	.....	6	8	38	52	1043
3 Damages for personal injuries or wrongs,	.....	1	2	.. ..	3	1511
4 Marriage or Divorce	.....	1	84	51	136	1272
5 Inheritance	.....	.....	2	2	4	130
6 Other cases,	....	14	284	212	510	3570
Total,	1	26	589	547	1,163	12,422

R. D. ARDAGH.
Commissioner of Pegu.

No. III.

Detail of Suits disposed of by all the Courts in the Division of Pegu, during the year, 1867.

1	COURTS.	2	3	4	5	6	7	8	9	10
			Decided on Trial.							
		Rejected.	In favor of Appellant or Plaintiff.	In favor of Respondent or Defendant.	Decreed Exparte.	Compromised.	Withdrawn, dismissed in default or otherwise disposed of.	Transferred.	Total.	
Appeals.	Commissioner's Court, ...	13	20	4	... ..	1	3	*2	43	
	Cantonment Asst't Commissioner,... ...	...	..	..	.....	.....	...	.	.....	
	Rangoon District.									
	Deputy Commissioner, 1st and 3rd grade...	1	54	54	.....	.....	5	.	114	
	Assistant Commissioner, 3rd grade, ...									
	Extra Assistant Commissioner, 1st class ...									
	Myo Okes, ...									
	Total, ..	1	54	54	... ..	*a*1	5	*a*2	114	
	Bassein.									
	Deputy Commissioner, 3rd grade,... ...	1	56	33	1	2	18	1	112	
	Assistant Commissioner, 3rd grade, ...									
	Extra Assistant Commissioner, 1st class,...									
	Do do 2nd class,...									
	Myo Okes, ...									
	Total,...	1	56	13	1	2	18	1	112	

* Remainder for future trial.

a. Blank before correction.

No. III.—*Continued.*

Detail of Suits disposed of by all the Courts in the Division of Pegu, during the year, 1867.

1		2	3	4	5	6	7	8	9	10
	COURTS.	Rejected.	Decided on Trial. In favor of Appellant or Plaintiff.	Decided on Trial. In favor of Respondent or Defendant	Decreed Exparte.	Compromised.	Withdrawn dismissed in default or otherwise disposed of	Transferred.	Total.	
Appeals.—*Cont'd.*	Myanoung District.									
	Deputy Commissioner, 4th grade, ...	2	42	31	2	1	9	....	87	
	Asst. Commissioners, 1st, 2nd, 3rd grade,									
	Extra Assistant Commissioners, 1st class,									
	Do do 2nd class,									
	Myo Okes, ...									
	Total,.....	2	42	31	2	1	9	.. ..	87	

Prome District.							
Deputy Commissioner, 2nd grade, }	7	65	89	.....	2	4	....	167
Do 4th grade, }							
Assistant Commissioner, 2nd and 3rd grade,							
Extra Asst. Commissioner, 1st class ...							
Do do 2nd class, ...							
Myookes, ...							
Total, ...	7	65	89	.....	2	4	....	167
Toungoo District.							
Deputy Commissioner, 3rd and 4th grade,...	.....	45	68	.....	.....	9	21	143
Assistant Commissioner, 3rd grade, ...								
Extra Asst. Commissioner, 2nd class, ...								
Myookes, ...								
Total, ...	.....	45	68	.....	.....	9	21	143
Grand Total, ...	24	282	279	3	6	48	24	666

No. III.—*Continued.*

Detail of Suits disposed of by all the Courts in the Division of Pegu during the year 1867.

1		2	3	4	5	6	7	8	9	10
	COURTS.	Rejected.	Decided on Trial. In favor of Appellant or Plaintiff.	Decided on Trial. In favor of Respondant or Defendant.	Decreed Exparte.	Compromised.	Withdrawn or dismissed in default.	Remanded under Section 351 Act VIII of 1867 (*Sic*) or transferred.	Total.	
Original.	Commissioner's Court, ...									
	Contonment Assist: Commissioner, ...	.....	114	23	90	22	19	... .	268	
	Rangoon District.									
	Dy. Commissioner, 1st & 3rd Grade, ..	.....	2	1	.....	.....	.....	.....	3	
	Assist. Commissioner, 3rd Grade, ...	.....	13	5	2	5	3	.....	28	
	Extra Assist. Commissioner 1st Class, ..	.....	70	11	5	11	79	.....	176	
	Myookes, ...	.....	611	144	161	313	442	... .	1,671	
	Total, ...	.....	696	161	168	329	524	.....	1,878	
	Bassein District.									
	Dy. Commissioner, 3rd Grada, ...	.....	.....	1	.....	.....	.....	.....	1	
	Assistant Commissioner 3rd Grade, ...	.....	217	27	28	23	64	.....	359	
	Extra Assist. Commissioner 1st Class, ...	.....	106	19	27	63	13	.....	228	
	Do. Do. 2nd Class, ...	.....	229	38	28	22	123	... .	440	
	Myookes, ...	.....	687	193	138	242	471	... .	1,731	
	Total, ...	.....	1239	278	221	350	671	.....	2,759	

Original.

Myanoung District.								
Dy. Commissioner's 4th Grade, ...	.....	.....	.....	.....	.....	.....	.....	.....
Asst. Commissioner's 1st, 2nd & 3rd Grade,	.....	11	6	2	5	8	... .	32
Extra Assist. Commissioner 1st Class, ..	.....	32	28	14	11	54	... .	139
Do. Do. 2nd Class, ...	.....	214	73	41	38	55	.....	421
Myookes, ...	.....	1,067	393	164	528	439	.....	2,591
Total, ..	.....	1 324	500	221	582	556	....	3,183
Prome District.								
Dy. Commissioner, 2nd & 3rd Grade, ..	.....	.....	.....	.....	.....	.....	.....	.....
Assist. Commissioner 2nd & 3rd Grade, ...	1	20	5	2	2	3	1	34
Extra Assist. Commissioners 1st Class, ...	.....	13	6	2	... .	1	.....	22
Do. Do. 2nd Class, ...	... ...	468	74	57	68	72	22	761
Myookes, ...	.....	968	412	98	279	520	4	2 281
Total, ..	1	1,469	497	159	349	596	27	3,098
Toungoo District.								
Dy. Commissioners 3rd & 4th Grade, ..	... .	.....	1	1	.....	.. ....	... .	2
Assist. Commissioners 3rd Grade, ..	... .	16	4	.....	3	4	.....	27
Extra Assist. Commissioner 2nd Class, ...	.....	361	125	69	25	8	4	592
Myookes, ...	.....	316	108	20	85	18	.....	547
Total, ..	.....	693	238	90	113	30	4	1,168
Grand Total, ..	1	5,535	1,697	949	1,745	2,396	31	12,354

No. III.—Continued.

Detail of Suits disposed of by all the Courts in the Division of Pegu during the year 1867.

1	2	3	4	5	6	7	8	9
		Decided on Trial.						
COURTS.	Rejected.	In favor of Appellant or Plaintiff.	In favor of Respondent or Defendant.	Decreed Exparte.	Compromised.	Withdrawn, dismissed in Default or otherwise disposed of.	Remanded under Section 351, Act VIII of 1867, or transferred.	Total.
MISCELLANEOUS.								
Commissioner's Courts	16	15	6	...	...	55	...	92
Cantonment Asst. Commissioners Court	...	...	...	...	...	...	...	...
RANGOON DISTRICT.								
Deputy Commissioner 1st and 3rd Grade	...	8	2	...	...	...	...	10
Assistant Commissioner 3rd Grade	5	20	...	...	1	3	...	29
Extra Assistant Commissioner 1st Class	...	12	...	...	4	1	...	17
Myookes	...	136	28	42	50	25	...	281
Total	5	176	30	42	55	29	...	337
BASSEIN DISTRICT.								
Deputy Commissioner 3rd Grade	...	37	15	...	...	3	...	55
Assistant Commissioner 3rd Grade	...	103	...	...	...	...	...	103
Extra Assistant Commissioner 1st Class	...	21	2	...	6	...	...	29
Do. Do. 2nd Class	...	95	8	...	...	...	...	103
Myookes	...	225	13	...	10	...	...	248
Total	..	481	38	...	16	3	...	538

Myanoung District.								
Deputy Commissioner 4th Grade	...	8	...	...	...	12	...	20
Assistant Commissioner 1st 2nd and 3rd Grade	...	8	1	..	...	...	...	9
Extra Assistant Commissioner 1st Class	...	21	1	...	...	1	...	23
Extra Assistant Commissioner 2nd Class	...	49	...	...	...	...	...	49
Myookes	...	251	23	...	27	7	...	308
Total	...	337	25	...	27	20	...	409
Prome District.								
Deputy Commissioners 2nd and 4th Grade	8	60	...	...	...	1	8	77
Assistant Commissioners 2nd and 3rd Grade	5	19	4	...	...	...	2	30
Extra Assistant Commissioner 1st Class	...	5	...	...	...	...	1	6
Do. Do. 2nd Class	...	139	13	6	5	...	..	163
Myookes	...	74	15	11	8	5	4	117
Total	13	297	32	17	13	6	15	393
Toungoo District.								
Deputy Commissioners 3rd and 4th Grade	48	66	37	...	...	...	...	151
Assistant Commissioner 3rd Grade	...	18	12	...	...	...	...	30
Extra Assistant Commissioner 2nd Class	...	353	35	...	2	3	5	398
Myookes	...	53	14	...	1	...	..	68
Total	48	490	98	...	3	3	5	647
Grand Total	82	1796	229	59	114	116	20	2416

R. D. ARDAGH,
Commissioner of Pegu.

No IV.

Supplementary Civil Return of the Division of Pegu for the year 1867.

1	2	3		4		5			6			7		
	COURT.	Longest period any case on the file after the suits disposed of during the year was ending.		Average duration of the suits disposed of during the year.		Total amount of value of suits instituted during the year.			Value of stamps in law papers filed during the year.			Cost of every description inclusive of stamps and Pleaders fees incurred by parties in suits disposed of during the year.		
		Months.	Days.	Months.	Days.	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.
	Commissioner's Court, ...	3	3	1	14	7,231	7	8	540	...	...	788	...	...
	RANGOON DISTRICT.													
	Deputy Commissioner 1st and 3rd Grade, .. Assistant Commissioner 3rd Grade, ... Extra Assistant Commissioner 1st Class, ... Myookes, ...	.....	27	1	10	21,474	14	11	1,824	8	...	3,315	6	4
	Total, ...	.....	27	1	10	21,474	14	11	1,824	8	...	3,315	6	4

BASSEIN DISTRICT.											
Deputy Commissioner 3rd Grade, ...	1	20	2	26	17,630	6	10	1,361	4 ...	2,126	2 10
Assistant Commissioner 3rd Grade, ...											
Extra Assistant Commissioner 1st Class, ...											
Do Do 2nd Class											
Myookes, ...											
Total, ...	1	20	2	26	17,630	6	10	1,361	4 ...	2,126	2 10
MYANCUNG DISTRICT.											
Deputy Commissioner 4th Grade, ...	11	12	6	29	7,875	1	...	484	... ...	619	... ...
Assistant Commissioner 1st 2nd and 3rd Grade											
Extra Assistant Commissioner 1st Class, ...											
Do Do 2nd Class, ...											
Myookes, ...											
Total, ...	11	12	6	29	7,875	1	...	484	... ...	619	... ...
PROME DISTRICT.											
Deputy Commissioner 2nd and 4th Grade, ...	2	8	1	12	19,911	13	11	1,425	3 ...	1,770	.....
Assistant Commissioner 2nd and 3rd Grade,											
Extra Assistant Commissioner 1st Class, ...											
Do Do 2nd Class, ...											
Myookes, ...											
Total, ...	2	8	1	12	19,911	13	11	1,425	3 ...	1,770	... ...

No. IV.—Continued.

Supplementary Civil Return of the Division of Pegu for the year 1867.

1	2	3		4		5			6			7		
		Longest period any case on the file after the close of the year was pending.		Average duration of suits disposed of during the year.		Total amount of value of suits instituted during the year.			Value of stamps in law papers filed during the year.			Costs of every description inclusive of stamps and Pleaders fees incurred by parties in suits disposed of during the year.		
	COURT.	Months.	Days.	Months.	Days.	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.
	TOUNGOO DISTRICT.													
APPEALS	Deputy Commissioner 3rd and 4th Grade, .. Assistant Commissioner 3rd Grade. ..... Extra Assistant Commissioner 2nd Class, ... Myookes, ...	.....	8	.....	11	13,621	5	4	1,264	8	...	1,440	1	6
	Total, ...	.....	8	.....	11	13,621	5	4	1,264	8	...	1,440	1	6
	Grand Total, ...	.....	.....	2	4	87,745	1	8	6,899	7	...	10,058	10	8

ORIGINAL.

Commissioner's Court, ...													
Cantonment Assistant Commissioner, ...	.....	26	.....	1	12,605	...	7	1,105	8	...	1,360	14	.
RANGOON DISTRICT.													
Deputy Commissioner 1st and 3rd Grade, ...	.....	.....	7	...	2,046	4	...	... ...	...	...	140	15	4
Assistant Commissioner 3rd Grade, ...	.....	.....	.....	11	21,485	10	1	1,472	..	...	1,357	8	.
Extra Assistant Commissioner 1st Class, ...	1	21	1	9	15,939	1	7	1,357	6	..	1,624	12	8
Myookes, ...	3	4	...	17	1,48,679	8	3	14,373	14	...	17,960	1	3
Total, ...	....	....	....	17	1,88,150	7	11	17,203	4	...	21,083	5	3
BASSEIN DISTRICT.													
Deputy Commissioner 3rd Grade, ..	.....	.....	1	4	1,600	..	..	52	...	..	94	8	.
Assistant Commissioner 1st Class, ...	1	23	.	9	35,178	3	7	2,796	7	...	4,225	10	4
Extra do do 2nd Class, ...	....	21	....	4	23,214	10	8	1.840	1	...	2,9.2	10	6
do do 2nd Class, ...	2	11	....	10	33,871	1	1	2,916	14	..	4,544	8	.
Myookes, ...	1	22	.....	2	1,04,683	12	1	9,397	10	..	15.979	6	...
Total, ...	.....	....	.....	9	1,98,547	11	5	17,003	...	...	27,746	10	10
MYANOUNG DISTRICT.													
Deputy Commissioner 4th Grade, ...													
Assistant Commissioner 1st 2nd & 3rd Grade, ...	24	.....	7	4,239	14	2	197	3	..	406	13	8	
Extra Assistant Commissioner 1st Class, ...	1	5	.....	5	13,684	2	..	1,077	15	..	1,968	3	.
do do 2nd Class, ...	1	14	.....	6	16,728	13	7	1,384	...	.	2,786	...	5
Myookes, ...	4	20	..	7	1,22,567	...	3	10,859	14	4	19,711	13	4
Total, ...	.....	.....	.....	8	1,57,219	14	...	13,519	...	4	24,872	14	5

No. IV.—*Continued.*

Supplementary Civil Return of the Division of Pegu for the year 1867.

1	2	3		4		5			6			7		
		Longest period any case on the file after the close of the year was pending.		Average duration of suits disposed of during the year.		Total amount of value of suits instituted during the year.			Value of stamps in law papers filed during the year.			Costs of every description inclusive of stamps and Pleaders fees incurred by parties in suits disposed of during the year.		
	COURT.	Months.	Days.	Months.	Days.	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.
	PROME DISTRICT.													
	Deputy Commissioner 2nd and 4th Grade,	...	...	...	4	18,286	13	...	1,093	8	...	1,610	10	..
	Assistant Commissioner 2nd and 3rd Grade,	...	...	...	4	3,809	11	6	367	14	...	663	2	6
	Extra Assistant Commissioner 1st Class,	...	29	...	4	45,090	10	...	4,420	1	...	5,313	15	..
	do do 2nd Class,	1	4	...	2	1,11,565	15	7	12,056	12	8	20,091	7	4
	Myookes, ...	2	6	...	6	1,78,753	2	1	17,938	3	8	27,679	2	10
	Total, ...	...	...	...	5									

ORIGINAL.	TOUNGOO DISTRICT.												
	Deputy Commissioner 3rd and 4th Grade,	.....	.....	.....	10	14,920	8	..	362	...	...	897	1 4
	Assistant Commissioner 3rd Grade,	.....	10	.....	5	8,075	12	...	385	8	...	535	4 .
	Extra Assistant Commissioner 2nd Class,	5	7	.....	5	77,140	13	...	3,562	8	...	5,793	14 9
	Myookes,	.....	.....	.....	3	19,893	2	5	2,000	8	..	3.655	15 10
	Total,	.....	.....	.....	4	1,20,030	3	5	6,310	8	...	10,882	3 11
	Grand Total,	.. ..	.....	.....	9	8,55,306	7	5	73,079	8	...	1,13,625	3 3
MISCELLANEOUS.	Commissioner's Courts,	.....	21	.....	4	862	14	..	137	...	...	183	3 ...
	RANGOON DISTRICT.												
	Deputy Commissioner 1st and 3rd Grade,	.....	8	.....	5	3,727	11	3	21	8	..	31	4
	Assistant Commissioner 3rd Grade,	5	20	....	16	8,060	14	1	35	8	..	141	8 ....
	Extra Assistant Commissioner 1st Class,	.....	12	...	20	6,550	1	7	20	8	..	241	10 ...
	Myookes,	4	16	.....	12	48,894	1	...	752	8	...	1,653	10 7
	Total,	4	16	.....	13	67,232	11	11	830	...	...	2,068	. 7
	BASSEIN DISTRICT.												
	Deputy Commissioner 3rd Grade,	....	.....	.....	1	7,006	6	...	56	7	6	85	14 ...
	Assistant Commissioner 3rd Grade,	.....	15	... ..	1	12,995	13	8	125	8	...	202	14 .
	Extra Assistant Commissioner 1st Class,	.....	9	.....	1	5,296	12	10	49	3	...	144	13 .
	do do 2nd Class,	.....	.....	.....	4	8,249	1	4	96	4	..	308	3 ...
	Myookes,	.....	12	.....	7	32,262	12	9	370	2	..	1,107	11 ...
	Total,	.....	15	....	4	65,810	14	7	697	8	6	1,849	7 ..

No. IV.—*Continued.*

Supplementary Civil Return of the Division of Pegu for the year 1867.

1	2	3		4		5			6			7		
		Longest period any case on the file after the close of the year was pending.		Average duration of suits disposed of during the year.		Total amount of value of suits instituted during the year.			Value of stamps in law papers filed during the year.			Cost or every decription inclusive of stamps and Pleaders fees incurred by parties in suits disposed of during the year.		
	Court.	Months.	Days.	Months.	Days.	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.
	MYANOUNG DISTRICT.													
	Deputy Commissioner 4th Grade, ...		1	.....	3	1,872	3	10	17	...	...	23		..
	Assistant Commissioner 1st 2nd and 3rd Grade		22	....	2	1,188	12	..	19	9	.	64	3	
	Extra Assistant Commissioner 1st Class, ...		4	..	1	8,308	1	..	22	9	.	110	5	...
	do do 2nd Class, ...		7	.. ..	14	4,003	11	2	62	8	...	184	8	9
	Myookes, ...	2	26	1	10	21,159	13	5	335	12	..	1,536	15	
	Total, . ..	2	26	.....	5	36,532	9	5	457	6	..	1,91	15	9

PROME DISTRICT.													
Deputy Commissioners 2nd and 4th Grade, ...													
Assistant Commissioner 2nd and 3rd Grade.					5,792	6	5	22			38	14	.
Extra Assistant Commissioner 1st Class,					27	2	..	7	8		7	8	
do do 2nd Class,					4,459	8	..	265	1		559	8	
Myookes,					5,371	4	.	157	..		268	11	8
Total,					15,650	4	5	451	9		874	9	8
TOUNGOO DISTRICT.													
Deputy Commissioners 3rd & 4th Grade,				1	22	11		69	15		69	15	.
Assistant Commissioner 3rd Grade.				2	21,705	9	10	19	8		46	12	..
Extra Assistant Commissioner 2nd Class,				1	54,005	2	5	429	15		1,025	11	7
Myookes.				1	4,214	..	8	80	8		259	6	
Total,				1	79,947	7	11	599	14	..	1,401	12	7
Grand Total,				..	2,66,036	14	3	3,173	5	6	8,296		7

R. D ARDAGH,

Commissioner of Pegu.

C.

Statement showing the result of Appeals and Second Appeals in Civil Suits, from each Class of Courts in the Pegu Division.

	Decree for Respondent.	Decree of Lower Court modified or Reversed.	Rejected.	Otherwise settled.	Total.
REGULAR APPEALS.					
From Deputy Commissioners to Commissioner of Division	..		1	...	1
From Assistant Commissioners to Deputy Commissioners	17	28	4	5	54
From Extra Assistant Commissioners 1st Grade to Deputy Commissioners	14	11		.	25
" Extra Assistant Commrs 2nd Grade Tseekays to Deputy Commissioners ..	67	51	2	24	144
From Extra Asst. Commrs 3rd Grade Myookes to Deputy Commissioners ..	177	172	5	46	400
2ND APPEALS.					
To Commissioner of Division, .. .	4	20	12	6	42
TOTAL ..	279	282	24	81	666

R. D. ARDAGH,

Commissioner of Pegu.

E.

Statement shewing the proportion in which Appeals from each Grade of Court were decided or otherwise dealt with in the Pegu Division of British Burmah

	From Deputy Commissioners to Commissioner.		From Asst. Commissioners to Deputy Commissioners.		From Extra Assistant Commissioners 1st Class to Deputy Commissioners.		From Extra Assistant Commissioners 2d Class Tseekay to Deputy Commissioners.		From Extra Assistant Commissioners 3rd Class Myookes to Deputy Commissioners.	
Judgment confirmed including rejected cases	17	36.96	21	38.18	14	50.00	69	40.11	182	36.75
Modified or reversed	20	23.48	28	50.90	11	39.29	51	29 65	172	34.75
Otherwise disposed of .	6	13 04	5	9 09			24	13.95	46	9 29
Pending	3	6.52	1	1.81	3	10.71	28	16.27	95	19.21
TOTAL . ..	46		55		28		172		495	

R D ARDAGH,

Commissioner of Pegu.

No 14.

To

THE COMMISSIONER OF PEGU,

Rangoon.

Dated Rangoon the 10th February 1868.

Sir,

In forwarding the Civil Return for the 1867 year I have the honor to report,

1st. The office of judge of the Cantonment Small Cause Court was held by Captain Strover from 1st January to 20th March, Myself from 21st March to 8th October and Captain Wynch from 9th October to the close of the year.

2nd. The Number of suits instituted during the year was 275, a decrease of 22 as compared with the year 1866. The value of property litigated was Rupees 12,605 as against Rupees 12,956 in the previous year, and thus showing of a decrease of Rupees 351.

3rd. The value of stamps filed was Rupees 1105, being an increase of Rupees 202. 8, as compared with 1866 while the costs were Rupees 355. 6.

4th. Of the 275 cases, 114 were decided in favor of plaintiff and 23 in favor of defendant, 90 were decided exparte, 22 were compromised, 19 withdrawn or dismissed and 7 were pending.

Execution

Execution was taken out in 90 cases. The average duration of cases was one day, and the detention of Witnesses one day.

Effect of the New Stamp Act

It does not appear that the New Stamp Act has produced any appreciable effect on the litigation in this Court, that litigation is of the pettiest description being mostly for the recovery of small debts due by Clerks, Campfollowers and domestic servants. There certainly has been a decrease in the number of suits

filed but not to so large an extent as to render it at all probable that it is to be attributed to the increase of Stamp duty or to any one particular cause The population of the Cantonment if any thing has decreased, and the limits have been curtailed during the year. A decrease in litigation to even a greater extent than that now shewn would therefore not be matter for surprise, even had the Stamp duty remained the same.

I have the honor to be

Sir,

Your most obedient Servant

A. G. DUFF.
Offg. Cantonment Magistrate.

CIVIL JUSTICE REPORT RANGOON DISTRICT, 1867.

STATEMENT No I.

1. A considerable decrease has occurred in the number of suits both Appellate and Original instituted in the past year, compared with that of the year previous. In appeals a decrease of 28.9 per cent and in Original cases 7.2 per cent, whilst in 1866 there was an increase of 40. per cent in the number of Appellate suits and 27. per cent or more in Original cases instituted over that of 1865.

Cases Instituted	Appeals	Original
1866	142	2052
1867	101	1904
Decrease	41	148

The number of Miscellaneous cases instituted during the year under review is given in a comparative form in the margin, exhibiting an increase of 32 cases over that of 1866.

Miscellaneous	Cases
1866	305
1867	337
Increase	32

2. With regard to the decrease in the number of Appellate cases, the Return shows a decrease of 41. when compared with that of 1866. This may be attributable to the litigants

Decrease in Appeal cases

being more satisfied with decisions of Lower Courts. The duration of suits during the year under notice, averaged 1 month and 10 days, against 1 month and 13 days in the preceeding year, shewing a decrease of 3 days, 25 appeals were pending when I assumed charge on the 13th May 1867. There were none pending at the end of the year.

Disposal of cases.

3. In the year under review 114 cases were heard and disposed of, this includes the 13 cases pending at the close of the previous year added to the 101 instituted in 1867, leaving no cases pending, this I trust will be considered satisfactory.

In original cases disposed of during the year, there has also been a decrease over the previous year. In 1867, 1878 cases were disposed by all the Courts against 2027 in 1866, shewing a decrease of 143. The number of cases pending on the 31st December 1867 was 102 against 76 of the former year.

In the number of Miscellaneous cases disposed of during 1867 as compared with that of 1866, cited in the Margin there has been an increase of 37 cases.

	Cases.
1866	300
1867	337
Increase	37

In the number of Pending cases there were no increase or Decrease, the number being same as previous year, viz: 13 cases as per margin.

	Cases.
1866, ...	13
1867, ...	13

Pending.Cases.

4. In the number of Pending cases at the close of 1867 there is an increase in the number shewn in Original cases only as compared with that of 1866.

	Appeals.	Original.	Miscellaneous.	Total.
Pending on the 1st January 1867, ...	13	76	13	102
Pending on the 31st December 1867,...	.....	102	13	115
Increase, ...	.....	26	.....	13

CLASSIFICATION OF CASES.

STATEMENT No. 11.

5. In the number of cases of immoveable and moveable property instituted before all Courts of this District, there is a Decrease of 189 suits shown in the Return for the current year against that of the previous year, in which there was an increase of 574 suits.

The following are the numbers in each of the above classes of suits during the past two years.

Class of Suits.	Years.	Appeals.	Original.
Suits connected with immoveable property.	1866	47	254
	1867	31	203
	Decrease.	16	51
Suits connected with moveable property.	1866	95	1798
	1867	70	1701
	Decrease.	25	97

In the Number of Debt cases in original suits instituted during the year there has been an increase of 69, and in those for Damages for both breach of Contract or injuries there has been a considerable increase. A decrease is shewn in the return of the Number of marriage and divorce cases as also in Inheritence cases instituted during the past year.

DEBT.	Cases.
1866	446
1867	515
Increase.	69

DAMAGES.	Cases
1866	153
1867	201
Increase	148

MARRIAGE OR DIVORCE	Cases
1866	117
1867	59
Decrease	58

INHERITANCE.	Cases
1866	31
1867	2
Decrease	29

DETAIL OF SUITS.

STATEMENT No. III.

Decision of cases Appeals

6. In the distr ct Court there were 114 cases of appeals from the decision of the lower Courts decided and disposed of in 1867, the Number of cases decreed in favor of appellants and respondents being on a par, viz 54 cases as per margin. Of the remaining 6 suits, 1 was rejected and 5 dismissed in default or withdrawn.

	Cases
In favor of appellants	54
In favor of respondents	54

Original cases

7. In the Number of original cases disposed of there has been a decrease during the year over that of the previous one, 864 cases were decided in favor of the plaintiffs. (168 being exparte) against 909 in 1866, (of which 127 were exparte) Of the number of cases compromised there has been an increase of 329 cases in 1867, against 159 in 1866 giving an increase of nearly 52 per cent. There has been a decrease in the number of cases withdrawn or dismissed in default during the year under report as compared with that of the previous one as shewn in the tabular statement in the margin. In 1867, 161 cases were disposed of in favor of the defendants against 188 in 1866, shewing a decrease of 27 suits in the present year.

	Cases.
1866	765
1867	524
Decrease	241

Disposal of miscellaneous cases

8. In the disposal of Miscellaneous suits the return of the year 1867 shew an increase of 37 suits over last year as shewn in the accompanying comparative statement, 176 cases were in favor of the plaintiffs and 30 in behalf of the defendants against 104 and 22 in 1866. A large decrease has however taken place in the number of suits dismissed in default or withdrawn in 1867 over that of 1866.

	In favor of plaintiffs.	In favor of defendants.	Compromised or with drawn.
1866	123	22	155
1867	223	30	84
	Increase, 100	Increase, 10	Decrease, 71

337 Miscellaneous cases in all were disposed of during the year.

In the number of Applications for Certificates to collect debts there is an increase in the year 1867.

	Cases.
1866, ...	9
1867, ...	15
Increase,	6

Appeals from each of the subordinate Courts.

9. In the year 1867, the number of Appeals preferred from the subordinate Courts of this District amounted to 101 against 142 in the previous year. The following is a Tabular statement of Appeals preferred from each subordinate Court and their result.

COURTS.	No. of Appeals.	Decree of lower Court confirmed.	Decree of lower Court reversed or modified.	Otherwise disposed of.	Pending.
Assistant Commissioner Rangoon, ...	9	3	5	1	.....
E. A. Commissioner Dallah, ...	11	7	4	.....	.....
Myookes of Pegu, ...	8	6	2	.....	.....
do of Zineganine, ...	22	8	12	2	.....
do of Angyee, ...	19	9	9	1	.....
do of Yandoon, ...	11	7	4	.....	.....
do of Hmaubee, ...	9	5	4	.....	....
do of Thanhlyne, ...	8	3	5	.....	.....
do of Hlyne, ...	3	3	.....	.....	.....
do of Pyapong, ...	1	.....	1	.....	.....
Total, ...	101	51	46	4	... .

From the above it will be seen that the largest number of Appeals preferred during the past year has been from that the Myooke of Zineganine, and the least from that of Pyapong.

The Table below will shown the proportion of appeals to cases decided in each subordinate Court during 1867.

COURTS.	No of cases Instituted.	No of Appeals from Decrees	Average per centage of Appeals to cases.
Assistant Commissioner, ...	32	9	28.1
E. A. Commissioner Dallah, ...	175	11	6.2
Myookes of Pegu, ...	133	8	4.3
do of Zineganyne, ...	281	22	8.1
do of Pyapong, ...	412	1	0.025
do of Angyee, ...	235	19	8.
do of Yandoon, ...	188	11	5.9
do of Hmaubee, ...	152	9	5.9
do of Hlyne, ...	106	3	2.8
do of Thanlyne, ...	139	8	5.7
Total, ...	1,903	101	5.3

It will be noted from the above that the highest average is that of the Assist. Commissioner of Rangoon.

Detail of Original suits in each Court.

10. Of the 1,878 Original suits disposed of in each of the subordinate Courts, in this District the following is a detail.

COURT.	Cases disposed of.	Decree in favor of		No. of Exparte Decrees.	Withdrawn or Compromised.
		Plaintiff.	Defenda't		
Deputy Commissioner, ...	3	2	1	.....	.....
Asst. Commissioner Rangoon,	28	13	5	2	8
E. A. Commissioner Dallah,	176	70	11	5	90
Myookes of Pegu, ...	180	73	12	10	85
do of Zyneganine, ...	265	131	18	9	107
do of Pyapong, ...	388	58	42	79	209
do of Angyee, ...	229	97	17	25	90
do of Yandoon, . ..	207	68	11	15	113
do of Hmaubee, ...	156	54	18	4	80
do of Thanlyne, ...	140	84	19	9	28
do of Hlyne, ...	106	46	7	10	43
Total, ...	1878	696	161	168	853

Amongst the subordinate Courts of the district, the greatest amount of work done appears to fall on the Myooke of Phyapong. The least on the Illyne Myooke.

DURATION OF SUITS, VALUE OF STAMPS &c.

STATEMENT NO. IV.

11. The figures noted on the margin will show the average duration of Appeal cases in the Rangoon District Appellate Court. The chief cause of average duration of cases being little below that of the previous year.

Duration of Appeals

	Cases M	D
1866	1	13
1867	1	10
Decrease,	"	3

12. In the duration of Original suits instituted during the year 1867, before the several Courts of this District as compared with that of the previous year, there has been a considerable improvement, as shown in the Tabular statement at foot.

Duration of Original suits

Tabular statement of the average duration of cases in the Courts of the Myookes of the Rangoon District.

Names of Townships and Myookes.	Regular suits. M.	D.	Mis: cases. M.	D.
Pegu Moung Shway Thee ...		18		10
Zyneganine Moung Pan Byoo	.	21		10
Pyapong Moung Tsan Tha		12	.	14
Angyee Moung Shway At ...		20	...	14
Yandoon Moung Galay	..	1[illegible]	...	17
Hmaubee Moung Doon		19		10
Thanlyne Moung Tha Doon Oung ...	.	16	...	15
Illyne Moung Wyke		13	...	9
Total Average of 8 Myookes		17	..	12

13. Of the total amount of value of suits instituted during the year, the Return shews a decrease of Rs. 18,637-12-5 over that of the past year 1866.

Value of Suits

In the Appellate suits the value has decreased considerably this year. In 1866 it was 35,019 Rs. against Rs 21,474 in the past year.

	Rs	A	P
1866	35 0 9	4	3
1867	21,474	14	11
Decrease	13,544	5	4

In original cases there has also been a very large decrease for 1867. In 1866 it amounted to Rs. 2,06,932, whilst in the past year the amount was Rs. 1,88,150. This decrease, arises chiefly in the Court of the Assistant Commissioner Rangoon and that of the Dallah Assistant Commissioner.

	Rs	A	P
1866	2,06 0 32	11	11
1867	1,88 150	7	11
Decrease	18,782	4	"

In the Court of the Assistant Commissioner Rangoon, the amount of the value of Original suits decreased from Rs. 31,098 in 1866 to Rs 21,485 in 1867. In that of the Dallah E. A. Commissioner, there has been a decrease of Rs. 851-3-11 as given in the margin, but there has also been a decrease in the Myooke's Courts during 1867 to the extent of Rs. 8,261-12-2 when compared with that of 1866.

	Rs,	A	P
1866	16,790	5	6
1867	15,930	1	7
Decrease	851	3	11

	Rs	A,	P
1866	1,56,941	4	5
1867	1,48,679	8	3
Decrease	8,261	12	2

The total value of suits in Miscellaneous cases has increased this year in comparison with that of previous year vide margin. In 1867, Rs. 67,232 and in 1866, Rs. 53,543; an increase of Rs. 13,689.

	Rs	A	P
1866	53,543	15	"
1867	67,232	11	11
Increase	18,038	12	11

The table below will show the value of Original suits brought before the Court of each Myooke during the present and past year.

Names of Townships and Myookes.	Value of Suits.						Increase.			Decrease.		
	1866.			1867.								
	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.
Pegu, Moung Shway Thee, ...	18,395	4	...	15,637	8	9	.....	...	...	2,757	11	3
Zyneganine, Moung Pan Byoo, ...	11,725	...	...	19,693	8	6	7,968	8	6	.....	.....	...
Pyapong, Moung Tsan Tha, ...	29,357	10	...	36,283	...	6	6,925	6	6	.....	.....	...
Angyee, Moung Shway At, ...	24,978	...	...	19,488	10	6	.....	.....	...	5,489	5	6
Yandoon, Moung Galay, ...	29,503	6	...	19,210	9	2	.....	.. ..	...	10,392	12	10
Hmaubee, Moung Doon, ...	11,001	...	...	11,099	9	10	98	9	10	.....	.....	...
Thanlyne, Moung Tha Doon Oung,.....	13,885	...	5	19,142	...	6	5,337	...	1	.....	.....	...
Hlyne, Moung Wyke, ...	18,176	...	...	8,124	3	6	.....	.....	...	10,051	7	6
Total,.....	1,56,941	4	5	1,48,679	8	3	20,329	8	11	28,691	5	1

14. The total value of Stamps on Law-papers filed during the year amounted to Rs. 19, 857 giving an increase of Rs. 453 over 1866, as marginally noted, it must be borne in mind that suits instituted have decreased. The New Stamp Act works well and appears to be thoroughly understood. I seldom find that papers are under stamped.

Value of Stamps on Law-papers

	Rs	A	P
1866	19,404	2	"
1867	19,857	11	4
Increase	453	9	"

The total amount of costs incurred by parties in this year was Rs 26,466, but in the previous year, it amounted to Rs. 31,892 showing a decrease of Rs. 5,426.

Amount of Costs

	Rs	A	P
1866	31,892	14	"
1867	26,466	12	4
Decrease	5,426	1	8

Registry of Deeds

During the past year the Assistant Commissioner has performed satisfactorily the duty of Registering of Deeds, and the Deputy Commissioner has carefully inspected the Books of the Office.

The number of entries in each Book during the year 1867, is as shown below:—

Permanent Conveyance Register No. 1.	483
Temporary Conveyance Register No. 2. ...	542
General Register No 3.	51
	1076

There appears to have been some misunderstanding about the re-transfer of mortgaged property on a Stamp paper of proper value. The Registrar of Deeds was in the habit of accepting a mere Endorsement on a Mortgaged Bond as a Re-transfer, but the mistake has been rectified and all re-transfers of property are now made on a Stamp of the required value.

D. F. LONSDALE,

Assistant Commissioner, for Deputy Commissioner Rangoon.

Rangoon, Deputy Commissioner's Office the 2nd March 1868.

From

ASSISTANT COMMISSIONER.

Rangoon

To

DEPUTY COMMISSIONER,

Rangoon.

SIR,—I have the honor to report to you with reference to the Registration of Deeds in the Town of Rangoon, that the number of deeds registered are considerably on the increase with the exception of Wills.

PERMANENT CONVEYANCE.

In the year 1866, four hundred and thirty seven Permanent conveyance were registered, and in the year 1867 the number is four hundred and eighty three, which shows a considerable increase.

TEMPORARY. CONVEYANCE.

The Temporary Conveyance Register shows an increase of Two hundred and fifty, the number for 1866 being Two hundred and ninety two, and that for 1867 being Five hundred and forty two.

GENERAL.

The General Register shows an increase of twelve the number for 1866 being thirty nine and that for 1867, fifty one.

WILLS.

The Register of Wills shows a decrease, last year none; in 1866, three.

I have, &c. &c.

(Sd.) D. F. LONSDALE,

Assist. Commissioner, Registrar.

Rangoon, 29th February 1868.

No. 149.

Copy forwarded to the Commissioner of Pegu Division.

D. F. LONSDALE,
A. C. for Deputy Commissioner.

RANGOON,
Dy. Commissioner's Office,
The 3rd March 1868.

No. 5.A.

From

H. W. BEDDY, Esqr.

Deputy Commissioner, Bassein,

To

THE COMMISSIONER OF PEGU,

Rangoon.

Dated, 18th January 1868.

Sir,—I have the honor to submit the Annual Civil Return and my report for the District of Bassein for the year 1867.

Judicial

2. The following Table shews the number of Suits, Appeals, Original and Miscellaneous cases instituted, disposed of, and pending at the close of the year as compared with 1866.

Year.	Appeals.		Original.		Miscellaneous.		Total cases of all sorts.	Disposed of during the year.	Pending at close of last year.
	Pending from last year.	Instituted.	Pending from last year.	Instituted.	Pending from last year.	Instituted.			
1866	5	137	37	2926	2	449	3556	3535	21
1867	4	115	16	2774	1	545	3455	3409	46
Increase,	.....	.....	...	.....	.... ..	96	.....	.....	25
Decrease,	1	22	21	152	1	. . ..	101	126	.....

Shewing a decrease in all but Miscellaneous suits, there were 31 Original Civil cases pending at the close of the year, giving an average of a little less than three cases to each Court, with regard to the falling off in the number of suits, I attribute it to the enhanced Stamp Duty.

3. The value of property litigated in Appeal cases was	a20630-6-10
The Stamps on ditto	1361-4-0
And Costs ...	764-14-10
The Percentage of costs the value litigated	b6.5 per cent
And exclusive of Stamps	c3.7 per cent
The value of property litigated in original cases was	198547-11-5
The Stamps on ditto	17003
And costs exclusive	10743-10-10
The percentage of costs on the value litigated	d8.5
And exclusive of Stamps	e5.4

The per centage in appeal and original cases both with regard costs in stamps and exclusive of stamps is greater than last year. In the first case it is owing to enhanced price of stamps, and in the second to increase of rates charged for tulbanah.

4. The average duration of appeals is 2 months and 26 days, and longest period of a case on the file at the end of the year one month and 20 days. The delay is very excessive but it was unavoidable, I was absent in the district during the greater part of the 1st and 2nd quarter during which time 72 of the 115 appeal cases were instituted, and from the 22nd June to 22nd September, my time was almost all taken up in criminal work, as the officers who officiated here during Mr. Assistant Commissioner Phillips absence on privilege leave, had only powers of a subordinate Magistrate of the 2nd class. During the 3rd quarter I could only devote two days out of the week to civil appeals, and to keep pace with the work I had to get through during the 3rd quarter, I had to commence at 7 in the morning and work until dusk, giving myself an hour and half during the day. The longest period on the file would not

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} before correction

have been more than 20 days, if the Theegwen Myooke had obeyed orders and sent up a case, (I had to refer to him) as had been desired.

5. There was one original case decided in the Deputy Commissioner's Court, the duration was 1 month and 4 days, the delay occurred in consequence of two applications for postponement being made by the Plff. In all the other Courts the duration is as follows:

Asst. Commissioner 9 days to 8 last year, Ex: A. Commissioner 4 to 5 days, last year, Tseetkay 10 to 16 days last year, Myo Okes the same as last year, viz: 9 days.

6. Of the 112 appeal cases disposed of in 1867—1 was rejected, 57 decided in favor of Appellant, 33 in favor of Respondents, 2 compromised, 18 dismissed in default and 1 remanded.

7. The number of deeds registered with value during the year is as follows:

	No.	Value in Rupees
Assistant Commissioner, BASSEIN, .	...27	8845
Extra Asst. Commissioner, PANTANAU,	None	

The Extra Assistant at Pantanau has assigned no reason why no deeds were registered during the year in his Court, he has been called upon to report.

8. The lower Courts have all been visited by me with the exception of Kyoung-tha, the registers Civil and Criminal were all examined and found satisfactory. The Nathaing-khyoung Asst. Commissioner's Court which was done away with a few years ago, has been established again and an Extra Asst. Commissioner put in charge.

Mr. Assistant Commissioner Phillips was relieved by Lieut. Poole shortly after the former returned from privilege leave of 3 months.

Myo Oke Moung Hnyn who had been very poorly for some time, died on the 2nd December. The Theegwen Myo Oke has also been poorly and not able in consequence

to attend to his work regularly. Moung Shway Bya the Akoon Woon at Bassein has been promoted to Ex: Asst. Commissioner 2nd class, 1st grade, vice Moung Shway Bo promoted and posted to Pantanau. I am very well satisfied in the manner the several Officers under me have conducted their duties. The want of proper means of communication with the Courts in the District is very much felt It takes as much as six weeks sometimes to get appeal cases sent up from the lower Courts, reports and returns are likewise delayed, and I have known of Prisoners sentenced by the Myo Okes to a month's imprisonment spending 12 to 14 days on the way, or at some Police Station waiting for an opportunity.

I have the honor to be
Sir,
Your most obedient Servant,
H. W. BEDDY,
Deputy Commissioner,
BASSEIN.

Detailed statement of deeds Registerd in the Assistant Comr's Court.

Nature of Registers.	1866.			1867.		
	Number of deeds.	Valuation of deeds		Number of deeds.	Valuation of deeds	
Permanent conveyance Register,	15	6,219	5	9	4,796	.....
Temporary, ditto	25	13,398	1	7	1,477	6
General, ditto	15	13,481	10	11	2,571	10
Register of wills.	1	.....	....	.....	.....	.....
Total, ...	56	33,099	.....	27	8,845	.....

I have the honor to be
Sir
You most obedient servent,
M. C. POOLE,
Assistant Commisioner for Deputy Commissioner,
BASSEIN.

MYANOUNG DISTRICT.

REPORT

ON THE ADMINISTRATION OF CIVIL JUSTICE, IN THE MYANOUNG DISTRICT FOR THE YEAR 1867.

Report on the Administration of Civil Justice in the Myanoung District for the year 1867.

Courts of the District.

The only changes that occurred amongst the Courts of the district was the appointment of an Assistant Commissioner to the Tharrawaddie Sub: division in lieu of an Extra Assistant Commissioner. But he was there for rather less than 7 months only.

No of Suits before the Courts.

The number of suits of every description, instituted during the year is 3,751, a decrease of 552 on the number instituted in 1866, 4303.

The following table shows the nature of the different suits instituted in the two years 1866 and 1867.

Year.	Appeals.	Regular suits.	Miscell. suits.	Total.
1866...	148	3,688	467	4,303
1867...	161	3,179	411	3,751
Increase, ..	13	....	....	....
Decrease...	.....	509	56	552 net

From which it will be seen that tho' there was a small increase in the number of appeals as compared with 1866, there was a most satisfactory decrease of litigation generally.

District Court Cases

These were all appeals as follows,

Pending 31st December 1866,	22
Instituted during 1867,	161
Total before the Court,	183
Disposed of	87
Pending 31st December 1867,	96

These were reduced in January last to 43.

The average time taken to decide these appeals was 6 months and 29 days.

I hope to be able to explain satisfactorily both the large number of cases left pending at the close of the year, and the unusually long time taken to decide the cases disposed of.

In the first place then, the principal cause is, that there was a very large amount of heinous crimes committed during the year, these cases could only be disposed of by the District Court, the Subordinate Courts not having jurisdiction in them. An officer with full powers was indeed sent to the district, but withdrawn almost immediately.

Again Major Munro, a 1st class subordinate Magistrate was replaced by Lieut. Gower a 2nd class subordinate Magistrate, a 2nd class Subordinate Magistrate being also sent to Tharrawaddee so that Extra Criminal work was in this way thrown on the District Court.

I can with truth say that owing to these two causes the District Court was overwhelmed with Criminal work. The lock-up was almost always crowded with prisoners and I was absolutely obliged to confine my attention almost exclusively to Criminal cases.

This is quite suffiicent to account for the number of cases left pending, but, in justice to myself, I beg to draw attention to the nnmber of cases actually diposed of, viz. 87, which under the circumstances, is, I think fully as much as could be expected, especially as when I took charge of the district on the 28th February, only 2 civil appeals had been disposed of: I therefore decided 85 in 10 months.

With regard to the long time taken to decide these cases, in addition to the causes, which will always render it impossible to decide civil appeals in this District, speedily; which causes were fully explained by Captain Duff in his

report for 1866, it was only at rare intervals that I could take up civil cases at all, and they were necessarily adjourned for indefinite periods owing to press of more important criminal work.

The duties, criminal, revenue and civil that devolve upon the Deputy Commissioner of this district are extremely heavy, and I cannot but express the hope that assistance will be given me, both by another officer being sent in place of the one withdrawn from Tharrawaddy, and by increased powers being given to the Assistant Commissioner at head quarters as such. But while I feel that the long delay in granting justice to suitors shown above, must be injurious to the welfare of the district generally, I cannot take any blame to myself in the matter, and I trust the explanation given above will be considered satisfactory.

To show how very much more criminal work the Deputy Commissioner had in 1867 as compared with 1866,

I may mention that whereas in 1866 the Deputy Commissioner examined only 622 witnesses, in 1867 he examined 949, of which I myself examined 871 during the 10 months I was in charge of the district. This increase was chiefly owing to the increase of cases of dacoity, of which the Deputy Commissioner had 14 cases and 70 persons brought before him for trial in 1867, against 4 cases and 8 persons in 1866.

During the month of January last there was fortunately a lull in heinous crime, and I was thus enabled to get through 53 civil appeal cases, thus reducing the number pending from the preceeding year from 96 to 43, but during the past month heinous crime has broken out again, and I have now 8 cases and 24 persons pending trial before me for dacoity and robbery, and 1 case and 3 persons for murder, all these cases have come up before me within the last month. I have already this year disposed of one case of culpable homicide in addition to 19 other minor cases, and another murder has been committed and the case will be sent up to me in a day or two for trial.

During the year I have been in charge of the district, I have decided 167 criminal regular cases, 22 criminal appeals and 136 civil appeals. And I honestly believe that

more could not be reasonably expected of me, and that it is as much as any other Deputy Commissioner has done.

I simply make these remarks to defend myself, and to point out the necessity there is for giving the Deputy Commissioner of this district more assistance.

The number of regular appeals decided in 1867 was 83. Miscellaneous appeals 4. Of the former were

	Confirmed . ..	29
	Reversed, .. .	33
	Modified, ...	9
	Rejected .. .	2
	Otherwise disposed of, ...	10
Of the latter,	Confirmed, ...	2
	Otherwise disposed of, ..	2

The result of which is, that the decisions of the lower courts were reversed in more than one third of the cases appealed.

The annexed table shows the number of civil suits before each of the subordinate Courts, and the mode in which they were disposed of.

	No. of cases Instituted.	Decided.	Pending.	Plaintiff.	Defendant.	Otherwise disposed of.	Average.
Asst. Commissioner, 1st grade,	5	3	...	.....	.....	3	2
Asst. Commissioner, 2nd "	6	6	...	3	1	2	10
Do Commissioner, 3rd "	6	6	...	3	1	2	7
Do Commissioner, 3rd "	15	17	...	6	3	8	6
Extra Asst. Comm'r, 1st class, 1st grade, ...	123	124	...	25	26	72	4
Extra Asst. Comm'r, do	15	15	...	6	2	7	10
Tseetkay, 2nd class, 1st grade,	421	421	...	214	73	134	6
Myooke Donabew, 3rd "	339	339	...	126	44	169	7
Do Henzada, 3rd "	607	607	...	338	106	163	5
Do Koonityua, 3rd "	201	201	...	57	13	131	3
Do Kyan Ghoen, 3rd "	342	343	...	118	73	152	7
Do Monio, 3rd "	231	232	...	58	18	156	7
Do Tahpoon, 3rd "	131	131	...	47	5	7:	6
Do Tsanyooue, 3rd "	161	162	1	76	15	71	9
Do Oke P'ho, 3rd "	576	576	...	247	119	210	14
Total, ...	3179	3183	1	1324	500	1359	7

The average duration of the cases was 8 days.

There were 412 Miscellaneous cases before the Courts, of which 409 were disposed of leaving 3 pending, the average duration was five days.

The average in both cases is, I think, very good, a lower average in Regular Civil cases is not at all desirable, as it would indicate a hurried mode of procedure rather than a desire to ascertain the real merits of cases.

Works performed by the lower Courts

The proportion of appeals from the various Subordinate Courts is shown in the annexed table with the results.

The table of course includes the cases which were pending at the close of 1866, 22 in number, but excludes those pending 31st December 1867.

COURTS.	No. of cases Decided.	Appeals from Decisions.	Proportion of appeals to Decision.	Judgment Reversed.	Judgment Modified.	Judgment Confirmed.	Otherwise disposed of.	Pending.
Asst. Commiss'r 1st Grade,	3	.....	.....	.....	.....	.....	.....	.
do do 2nd do	6	1	1 in 6	1	.....	.....	.....	..
do do 3rd do	6	1	1 in 6	.....	.....	1	.....	..
do do 3rd do	15	.....	.....	.....	.....	.....	.....	..
E. A. Commiss'r 1st Class,	124	5	1 in 24	1	.....	2	.....	2
do do 1st do	15	3	1 in 5	.....	.....	2	.....	1
Tseetkai 2nd do	421	37	1 in 11	7	2	9	1	18
Myooke Donabiew 3rd Class	339	11	1 in 30	8	....	3	1	4
do Henzada 3rd Class	607	13	1 in 46	3	.....	.....	2	8
do Koonityooa 3rd Class	201	2	1 in 100	.....	.....	.....	.....	2
do Kyan Gheen 3rd Class	343	26	1 in 13	8	.....	8	2	8
do Monio 3rd Class	232	9	1 in 28	1	.....	1	3	4
do Tahpoon 3rd Class	131	1	1 in 131	.....	.....	1	.....	...
do Tsanyooa 3rd Class	162	1	1 in 162	.....	.....	.....	.....	1
do Ok Pho 3rd Class	576	73	1 in 7	9	7	6	3	48
Total, ...	3183	183	1 in 17	33	9	33	12	96

I endorse the remarks made by Captain Duff, in his report for 1866 as to the value of this table.

The result of the appeals made from each Court, is a far better criterion of the abilities, Judicial knowledge, and correct procedure of the different Judges, than a comparison of the ratios of appealed to non appealed cases, in the different Courts. A suitor who would go 5 or 10 miles to appeal a trumpery case would certainly not go 20, 30 or 40 miles to do so.

But owing to the large number of cases pending I am unable to draw a fair conclusion from the table, as regards the results of the appeals.

Costs in suits. The percentage of costs on value of suits is 13.1 exclusive of stamp duty, and 20.5 inclusive of stamp duty, a large increase over last year.

Value of stamps Value of stamps on law papers was in

1866.	Rs.	17,361
1867.	Rs.	14,460
	Decrease,	2,901

A decrease attributable to the decreased number of suits.

I think the new stamp Act (Act XXVI. of 1867) works very well in this district, expecially as regards suits for land. The land owners are the class upon which the increased stamp duty chiefly falls, and they are well able to afford it. Under the former method of calculating the value of land to ascertain the amount of stamp duty leviable, the value placed upon the land bore no proportion to the market value of the land, and suitors for land were thus placed at an advantage compared with other suitors. The new stamp Act has corrected this, and according to the new rule for valuing land, it is valued at much nearer its actual market value than it formerly was.

The value of suits instituted in 1867 was Rs. 2,01,626 against Rs. 2,86,993 in 1866, showing a decrease of 29 per cent, but the value of stamps on law paper filed during the year 1867 was Rs 14,460 against Rs. 17,361 in 1866,

showing an increase in proportion to the value of suits instituted of Rs. 2,270.

The decrease of 552 in the number of suits instituted during the year as compared with 1866 is due probably to the new stamp Act.

Registration of deeds. In 1866 there were registered 72 deeds, in 1867 68 deeds viz.

Registration of Deeds

In Myanoung	31
and Henzadah	37

against 49 and 23 respectively.

Books have been kept up at Myanoung, Henzadah and Mengyee; but it appears that the forms used are incorrect; explanation on the subject has already been made.

In Mengyee no deeds have been registered since the Office was opened. It is a place if no great importance.

I have much pleasure in endorsing the favourable report of my predecessor on Major Munro who was a few months my Assistant at Myanoung. He was a most useful Assistant.

Report on Subordinates

Lieuts. St. John and Gower Assistant Commissioner's, have both discharged their civil duties satisfactorily, as have also Moung Kyau Doon Extra Assistant Commissioner Henzadah, and Moung Na Gaw, Extra Assistant Commissioner at Tharrawaddy.

The following officers also deserve favourable mention.

Moung Shwè Yin, Tsitkay of Myanoung.

Moung Hpaw, Myooke of Kyanging.

I regret that I am unable to speak more favourably of Moung Tsein, Myooke of Okpho then my predecessor did. He is very careless. With regard to Moung Pho Kaw, Myooke of Henzadah he has a very large amount of civil work, and on the whole has got through it pretty well.

The other Myooke's have few civil cases.

C. P. HILDEBRAND,
Deputy Commissioner,

Statistical Returns shewing the Deeds registered in each Court according to Classification in the District of Myanoung for the year 1867.

	Permanent Conveyances.	Temporary Conveyances.	General.	Wills &c.	Value of Permanent Conveyances.	Value of Temporary Conveyances.	Value of General.	Total.
Deputy Commissioner								
Assistant Commissioner Myanoung			31				600	600
Extra Asst. Commissioner Henzadah ...	17	20			3933	5439		9372
Extrn Asst. Commissioner Mengyee								
Total	17	20	31		3933	5439	600	9972

MYANOUNG,
DEPUTY COMMISSIONER'S OFFICE
THE FEBRUARY 1868.

C. P. HILDEBRAND,
Deputy Commissioner,
Myanoung.

From

CAPTAIN C. W. STREET,
Deputy Commissioner, Prome.

To

THE COMMISSIONER OF PEGU.
Rangoon.

Dated Prome, 4th March 1868

SIR,—I have the honor to forward herewith the Civil returns for the year 1867.

There is an increase of 93 cases instituted during the past year over these in the previous year shewn thus.

	1866.	1867.
Appeals ..	183	184
Original suits	2991	3127
Miscellaneous	437	392

During the past year 35 more cases have been disposed of than in the previous year, but the pending file is a larger one being as follows.

	1866.	1867.
Appeals	5	22
Original suits	38	67
Miscellaneous	1	"

The increase in the pending file may I think, be attributed partly to the large amount of Criminal work, and partly to the change of officers towards the end of the year.

In appeals disposed of during the past year 23 were rejected against, none in the previous year.

63 decided in favor of Appellants against 102 and 74 in favor of Respondents against 64 in 1866.

In 1866 15 cases were withdrawn or dismissed in default but only one during the past year.

In original suits the Tseekai has disposed of the largest number, having disposed of 761 cases in the past year against 672 in 1866.

The number of cases disposed of by the Myookes has been 2281 against 2273 in the previous year.

There are nine Myookes which gives an average of 253 cases to each of their Courts.

The highest pending Appeal case on the file was instituted on the 23rd October 1867.

The longest pending case in the Tseekai's Court was instituted on the 28th November 1867, and the longest pending case before the Myookes was one in the Padoung Myooke's Court, which was instituted on the 25th October 1867.

There were 184 appeals during the past year, the result being as shown below.

	Pending in 1866.	Instituted in 1867.	Decree for respondent.	Modified or reversed.	Rejected.	Otherwise settled.	Pending at close of 1867.
From Assistant Commissioner's,	.....	7	2	2	3	.....	.....
From Extra Asst. Com'rs 1st Class	.....	3	1	2	.....	.....	.....
From Tsitkay,	2	38	21	9	1	3	6
From Myooke's,	3	136	65	52	3	3	16
Total.	5	184	89	65	7	6	22

The total amount value of suits instituted during the past year was Rupees 2,14,315-4-5. In 1866 the amount was Rupees 2,15,395-8-9 giving a decrease in the past year of Rupees 1080-4-4. There is a large difference in the value of appeal suits; in 1866 the value being 35,981 and in 1867 Rupees 19,911.

In the value of Stamp papers filed during the past year there is a large increase, owing of course to the increased

* This statement was incorrectly submitted by the Deputy Commissioner—a revised one had to be prepared.

stamp duty. The value in 1866 was Rupees 13,663-8-3 and in 1867 19,814-15-8 giving an increase in the past year of Rupees 6,151-7-5. In costs of every description the numbers are for 1866 Rupees 27,190-10-10 and in 1867 Rupees 30,323-12-6 being an increase in 1867 of rupees 3,133-1-8. The new Stamp Act came in force in this district from the first of June.

During the last half of the year 18 6 the value of suits instituted was Rupees 1,16,053-15 whilst the value of those instituted during the same period of 1867 was Rs. 97,984-11-8 shewing a decrease in the half year of 1867, during which the New Stamp Act was in force, of Rs. 18,069-3-5. The value of Stamp papers filed during the last half of 1866 was Rs. 6,480-8-3 and in the last half of 1867 Rs. 10,459-5 giving an increase in 1867 of Rs. 4,068-13-9.

In regard to the execution of decrees passed in the Courts of the Extra Assistant Commissioner and Tsitkay it would appear that the number of decrees given in those Courts during the past year was 620.

Execution was taken out in 97 cases which were settled as follows,

In 26 cases the amount was paid at once,
" 17 " property was attached and sold,
" 15 " persons were confined in Jail,
" 29 " warrants were withdrawn,
" 10 " warrants could not be executed.

The total number of persons confined in the civil Jail during the past year was 22, and the longest period during which any of those in confinement was 3 months and 3 days.

The following are the remarks on the civil Register of regular civil suits.

All correct brought up to date and neatly kept in the following Courts, Tsitkay; Shoaydoung and Shoaylay Myookes'.

The wording of the headings of the different columns was slightly incorrect in the Padoung and Mahathaman Courts. Corrections were made. Civil Miscellaneous Registers contained all necessary information and were brought up to date.

They were slightly incorrect in form in every Court, new forms were accordingly given.

The Assistant Commissioner at Thayetmyo reports that he examined the different registers of his subdivision and found them carefully and regularly kept.

There is a great improvement in most of the Courts in the time taken to decide cases.

In the Deputy Commissioner's Court there is an increase, the average duration for 1866 being 29 days and for the past year 41.

In the others Courts the following is a comparative statement for the year 1866 and 1867,

		1866	1867
This include Miscellaneous cases.	Assistant Commissioner Thayet,	27	4
	Additional do	19	4
	Extra Assistant Commissioner,	45	4
	Assistant Commissioner Poungday,	"	1
	Tsitkay,	3	2
	Myooke of Mengdoon,	4	3

	1866	1867
Myooke, Thayetmyo, . ..	11	2
" Kama, ...	8	2
" Meaday	10	2
" Mahathaman, ...	6	6
" Shoay lay, ...	7	4
" Shoay doung, ...	8	9
" Padoung, ...	7	16
" Poungday, .. .	20	11

I am of course unable to say any thing as to the qualification &c. of the different officers,

I have the honor to be
Sir,
Your most obedient Servant,

C. W. STREET,
Deputy Commissioner.

From CAPT. C. W. STREET,

Deputy Commissioner Prome,

To

THE COMMISSIONER OF PEGU,

Rangoon.

Dated Prome, 24th February 1868.

SIR,—In accordance with your circular No. A 3. I have the honor to forward a short report on the Registration of Deeds in this District for the past year.

There are two offices in this District, one at Prome and the other at Thayetmyo.

The number of Deeds registered in each office during 1867 were as follows.

Prome	95
Thayetmyo	57
Total,	152

This gives an increase of 44 over the previous year, the number in 1866 being,

Prome	63
Thayetmyo	45
Total,	108

The value of property registered in each office during the year 1866 and 1867 is shewn below,

	Temporary Conveyance.	1866. Permanent do.	General.
Prome ...	3600	31558-4	8817
Thayetmyo	13,945	7345	1424
	17,545	38,903-4	10241

		1867	
Prome ...	14,741	86,894-8-	14,000
Thayetmyo	13,385	22,593-"-	1350
	28,126	1,09,487-8-	15,350

No Wills have been registered

The amount of fees received in the Prome office during the past year has been Rs. 190, and in the Thayetmyo office Rs. 114, making total of Rupees 304

I have the honor to be,

Sir,

Your most obedient servant.

C. W. STREET,
Deputy Commissioner

CIVIL REPORT OF THE DISTRICT OF TOUNGOO FOR THE YEAR 1867.

In all the Courts of the District 1163 Regular suits were instituted, 145 appeals, and 645 Miscellaneous, making a total of 1953 cases of all kind against 1714 cases in 1866 shewing an increase of 239 cases of all kinds, only one original suit was taken up by the Deputy Commissioner against 5 in 1866. This properly should have been tried by the Assistant Commissioner had he been in Toungoo at the time.

Before the Assistant Commissioner 26 original suits were heard against 19 in 1866, 3 were pending at the close of the year.

Before the Tsitkay 589 cases were brought up against 583 last year shewing a slight increase, 5 cases were pending at the close of the year.

Before the four Myookes 547 cases were heard against 504 shewing an increase of 43 cases. There were no pending cases in the Myookes Courts.

There were 145 appeals presented, 143 of which were disposed of during the year. 31 cases were reversed, 68 confirmed, 14 modified, 9 withdrawn, 21 remanded for further hearing, and 2 pending at the close of the year.

From the decision of the Assistant Commissioner there were 10 appeals, of these 5 were confirmed, 3 modified, 1 reversed, and 1 remanded.

There were 64 appeals from the decision of the Tsitkays out of 589 cases or 10.8 per cent, of these 29 were confirmed, 7 modified, 13 reversed, 6 withdrawn and struck off the file, 8 remanded for further hearing, and one pending

The 4 Myookes disposed of 547 cases, against their decisions there were 71 appeals, 17 of the decisions appealed against were reversed, 34 confirmed, 4 modified, 3 withdrawn, 12 remanded and 1 pending.

Before the Deputy Commissioner the average duration of a case (original) is shown to have been 10 days.

Before the Assistant Commissioner the average duration of cases was 4 days, Tsitkays 5 days and Myookes 3.5 days.

The average duration of appeal cases was 11 days, during the dry weather when the Deputy Commissioner is in the District the appeal cases cannot of course be disposed of so quickly as in the wet weather.

The value of property in original suits brought before the Court was, in

1866	Rs. 1,14,336
1867	" 1,92,990

Showing an increase in the value of suits of Rs. 79,923

The value of Stamps was in

1866	Rs. 6868
1867	" 6310

causing a falling off in value of Stamps of Rs. 558.

The average cost of obtaining justice in each suit was 9-5-7 against 10-1-4 in 1866.

Mr. Duke the Assistant Commissioner who only commenced work in May last has given me entire satisfaction. He is zealous and attentive, and with diligence and more practice will make a good Civil Judicial officer.

Moung Htine the Tsitkay has conducted the duties of his Court creditably.

I am satisfied with the manner in which the four Myookes acquitted themselves in their Civil Judicial capacities.

I have followed my predecessor's practice in pointing out errors in procedure and in getting the officers of the subordinate Courts to frame proper issues, and as a general rule they have profited by instruction. There is still, a good deal of room for improvement.

THE 20th JANUARY 1868.

A. R. McMAHON,
Deputy Commissioner,
Toungoo.

To

THE COMMISSIONER OF PEGU,

Rangoon.

Dated, Toungoo 21st January 1868.

Forwards Reports* on the Registration of Deeds for 1867 from the Assistant Commissioner of Toungoo.

*In original.

A. R. McMAHON,

Deputy Commissioner.

From

ASSISTANT COMMISSIONER,

Toungoo.

To

DEPUTY COMMISSIONER,

Toungoo.

SIR,—I have the honor to report to you with reference to the Registration of Deeds in this District, that the number of Deeds registered are considerably on the increase with the exception of Wills and Temporary transfers.

PERMANENT CONVEYANCE.

In the year 1866, twenty-three Permanent Conveyance were registered, and in the year 1867, the number is forty-six, which shows a considerable increase.

TEMPORARY CONVEYANCE.

The Temporary Conveyance Register shows a decrease of three, the number for 1866 being seven and that for 1867 being four.

GENERAL.

The General Register shows an increase of six, the number for 1866 being thirteen, and that for 1867 being nineteen.

WILLS.

The Register of Wills is the same as last year, none in 1866.

I have the honor to be,
Sir,
Your most obedient servant.

TOUNGOO,
1st JANUARY 1868,

CHARLES DUKE,
Assistant Commissioner, Registrar.

TENASSERIM DIVISION.

No, 589 of 1868.

From

LIEUT. COLONEL E. M RYAN,

Officiating Commissioner Tenasserim Division,

of British Burma.

To

MAJOR H. NELSON DAVIES,

Secretary to the Chief Commissioner of B. B.

Rangoon.

Dated Maulmain the 7th March 1868,

SIR,—I have the honor to forward herewith for submission to the Chief Commissioner, the Annual Report upon the administration of Civil Justice in this Division for 1867, together with the Annual statements as follows :—

Judicial

No. 1. Statement of suits instituted, disposed of and pending.

" 2. Classification of Appeals and Original suits instituted.

" 3. Detail of suits disposed of.

" 4. Supplementry Civil Returns.

A.—Statement of average duration of suits.

B.—Statement shewing the result of Appeals and second Appeals.

C.—Statement shewing the result of Appeals from each grade of Courts.

D.—Statement shewing the duration of Civil cases in each grade of Courts.

E.—Statement shewing the proportion of Appeals from each grade of Courts.

F.—Detailed statement of Miscellaneous cases instituted and disposed of

REPORT.

The following was the state of the cases on the Regular Files on the 1st January 1867, and 1st January 1868.

District and Division.	Disignation.	Pending on 1st January 1867.			Pending on 1st January 1868.		
		Appeals.	Original suits.	Total.	Appeals.	Original suits.	Total.
	Commissioner, ...	4	.....	4	2	.....	2
	1. Deputy Commissioner, ...	7	....	7	28	.....	28
AMHERST.	2. Assistant Commissioner's, ...		2	2	...	8	8
	11. Myookes, ...	..	69	69	.	56	56
	Total, ...	7	71	78	28	64	92
	1. Deputy Commissioner, ..	1	1	2	6	.....	6
TAVOY.	1. Extra Assistant Commr. ..	..	15	15	...	4	4
	3. Myookes, ..	..	.....	.....	...	.....	.....
	Total, ..	1	16	17	6	4	10
	1. Deputy Commissioner, ..	..	.....	.....	...	.....	.....
MERGUI.	1. Extra Assistant Commr. ...	...	.....	.....	..	.....	.....
	3. Myookes, ..	..	.....	.....	..	.....	.....
	Total, ...	..	.....	.....	..	.....	.....

REPORT.—*Continued.*

District and Division	Designation.	Pending on 1st January 1867. Appeals.	Original suits.	Total.	Pending on 1st January 1868. Appeals	Original suits.	Total
SHWE-GYEEN	1. Deputy Commissioner,	5		5	12		12
	2. Assistant Commissioners,	.			.	4	4
	1. Extra Assistant Comm'r.		7	7			
	5. Myookes,		18	18	.	11	11
	Total, ..	5	25	30	12	15	27
TENASSERIM DIVISION.	Commissioner,				4 2		2
	4 Deputy Commissioners,	13	1	14	46		46
	4 Assistant Commissioners,		2	2		12	12
	3. Extra Assistant Commrs,	.	22	22	.	4	4
	22. Myooks'	.	87	87		67	67
	Grand Total,	17	112	129	48	83	131
	Increase,				31		·2
	Decrease,		.		.	29	

Shewing in the aggregate an increase of 31 Appeals and a decrease of 29 original suits pending on the last mentioned date.

2. There were only 2 cases pending in the Court of the Commissioner, both of which have been disposed of since the close of the year.

3. In the Amherst district there was an increase of 21 appeal cases pending as compared with the previous year, this increase was caused partly by the frequent change of Officers.

4. In Tavoy district there was a decrease of 7 suits in the number pending, which is satisfactory.

5. In Mergui district there were no appeals or original suits pending at the close of the year.

6. In the Shwe-gyeen district there was a decrease of 3 cases pending at the close of the year as compared with the previous year, which calls for no particular remarks.

7. The number of original suits and appeals instituted during the past two years in all the Courts is given below.

District and Division.	Designation.	Cases instituted in 1866. Appeals.	Original suits.	Total.	Cases instituted in 1867. Appeals.	Original suits.	Total.
	Comissioner, ...	22	.....	22	20	.....	20
Amherst.	1. Deputy Commissioner,	98	.. .	98	97	2	99
	2. Assistant Commissioners,	..	17	17	..	32	32
	11. Myookes, ..	...	775	7 75	.	865	865
	Total, ...	98	792	890	97	899	996
Tavoy.	1. Deputy Commissioner, ..	135	2	137	114	.....	114
	1 Extra Assistant Commr, ..	..	247	247	..	236	236
	3. Myooke's, ...	...	223	223	...	290	290
	Total, ...	135	472	607	114	526	640
Mergui.	1. Deputy Commissioner, ..	72	. ...	72	80	1	81
	1. Extra Assistant Commr.	.	655	655	..	539	539
	3. Myooke's, ...	.	197	197	..	149	149
	Total, ...	72	852	924	80	689	769
Shwe-gyeen.	1. Deputy Commisioner, ...	83	2	85	86	2	88
	2. Assistant Commissioners,	..	34	34	..	50	50
	1. Extra Assistant Commr...	..	323	323	..	330	330
	5. Myooke's,	. .	741	741	.	522	522
	Total,	83	1100	1183	86	904	990
Tenasse-rim Divis-ion.	Commissioner, ...	22	.....	22	20	.....	20
	4. Deputy Commissioners, .	388	4	392	377	5	382
	4. Assistant Commissioners,	...	51	51	...	82	82
	3. Extra Assistant Commrs,	...	1225	1225	..	1105	1105
	22. Myooke's, ...	.	1936	1936	.	1826	1826
	Grand Total, ...	410	3216	3626	397	3018	3415
	Increase, .	.	.....	....	...	...	.....
	Decrease, .	..	.....	. ..	13	198	211

Shewing on the whole a decrease of 13 appeals and 198 original suits, or a total decrease of 211 cases in the year under review.

8. Of appeals preferred to the Commissioner's Court, the file shews a decrease of two cases for the year under review, as compared with the previous year.

9. In Amherst district there was a decrease of one appeal instituted in the Deputy Commissioner's Court, and an increase of 107 original suits in the district Courts as compared with the previous year.

10. In Tavoy district there is an increase of 33 cases as compared with the numbr of suits for 1866.

11. In Mergui district the return shews an increase over the previous year of 8 appeal cases and a decrease of 163 original suits instituted during the year.

12. In the district of Shwe-gyeen there was an increase of 3 cases in appeal and a decrease of 196 in original suits.

13. The number of Appeals and Original suits decided on trial and finally disposed of in the years 1866 and 1867, is given in the following form.

District and Designation.	1866.				1867.			
	Appeals.		Original suits.		Appeals.		Original suits.	
	Decided on trial.	Finally disposed of.	Decided on trial.	Finally disposed of.	Decided on trial.	Finally disposed of.	Decided on trial.	Finally disposed of.
Commissioner, ...	15	19	...	...	18	22	..	...
Amherst District.								
1. Deputy Commissioner ...	66	108	...	...	57	76	2	2
2. Assistant Commissioner ..	...	...	12	16	...	...	21	26
11. Myookes	...	...	544	764	...	...	636	878
Total ...	66	108	556	780	57	76	659	906
Tavoy.								
1. Deputy Commissioner ...	134	135	1	1	108	109	1	1
1. Ex, Asst. Commissioner ...	...	...	192	234	...	...	203	247
3. Myookes	...	...	186	224	..	...	261	290
Total ...	134	135	379	459	108	109	465	538

Continued.

District and Designation.	1866. Appeals. Decided on trial.	1866. Appeals. Finally disposed of.	1866. Original suits. Decided on trial.	1866. Original suits. Finally disposed of.	1867. Appeals. Decided on trial.	1867. Appeals. Finally disposed of.	1867. Original suits. Decided on trial.	1867. Original suits. Finally disposed of.
Mergui.								
1. Deputy Commissioner	71	72		..	77	80		1
1. Ex Asst. Commissioner...			522	657			428	539
3. Myookes	...		172	197	.		139	149
Total	71	72	694	854	77	80	567	689
Shweygeen.								
1. Deputy Commissioner ...	61	79	1	2	70	79	1	2
2. Assts. & Ex. Asst. Comm'rs			20	35	...	...	80	46
1. Ex. Asst. Commissioner .		.	189	316	..		217	337
5. Myookes ..	...	.	414	750	...	..	307	529
Total	61	79	624	1103	70	79	555	914
Tenasserim Division.								
Commissioner . .	15	19	.		18	22	.	...
4. Deputy Commissioners ..	332	394	2	3	312	344	4	6
4 Assistant do	.	..	32	51		.	51	72
3. Extra Assistants do.	.		903	1207		..	848	1123
22. Myookes	..		1316	1935			1343	1846
Grand Total .	347	413	2258	3196	330	366	2246	3047
Decrease ..			.		17	47	7	149

14. There were no cases pending above one year in any of the Courts in this Division.

15. In the Divisional Court there was an increase of 3 Appeals decided on trial, and a like increase in those finally disposed of.

16. In the Amherst District there was an increase of 103 Original suits decided on trial and 126 finally disposed of, and a decrease of 9 appeals in the number decided on trial and of 32 finally disposed of.

17. In Tavoy District the return shews a total increase comprising original suits of 60 cases and appeals "in the number decided on trial," and of 53 finally disposed of in the year under review as compared with the previous year.

18. In Mergui District there was a decrease of 120 original suits and appeals "decided on trial," and of 157" finally disposed of.

19. In Shweygyeen District there was a decrease of 189 original suits and appeals in the number finally disposed of over that of the year 1866.

20 The state of the Miscellaneous files was on the 1st January 1867, and 1st January 1868, as follows:—

Districts and Division..	DESCRIPTION.	1st Jan. 1867.	1st Jan. 1868.
	Commissioner	....	.....
Amherst	1. Deputy Commissioner	3	1
	2. Assistant Commissioner's	1	.....
	11. Myookes	10	16
	TOTAL	14	17
Tavoy	1. Deputy Commissioner	.....	.....
	1. Extra Assistant do	.....	.....
	3. Myookes	.....	.....
	TOTAL	.....	.....
Mergui	1. Deputy Commissioner	.....	.....
	1. Extra Assistant do	.....	.....
	3. Myookes	.....	.....
	TOTAL	.....	.....
Shweygeen	1. Deputy Commissioner	.....	.....
	2. Asst. and Ex. Asst. Commr's	.....	.....
	1. Extra Assistant Commissioner	.....	.....
	5. Myookes	3	.....
	TOTAL	3	.....
Tenasserim Division	Commissioner	.....	.....
	4. Deputy Commissioners	3	1
	4. Assistant Commissioners	1	.....
	3. Extra Assistant Commissioners	.....	....
	22. Myookes	13	16
	GRAND TOTAL	17	17

21. There were no Miscellaneous cases pending in the Court of the Commissioner Tenasserim Division for both years.

22. In Amherst District there was an increase of 3 Miscellaneous cases pending in the year of report when compared with the year 1866.

23. In Tavoy, Shwegyeen and Mergui Districts, there were no cases pending on the Miscellaneous file for the year under review.

24. The following statement shows the number of Miscellaneous cases instituted and disposed of in the years 1866 and 1867, as also the number of cases above one years standing at the close of those years respectively.

District and Description.	1866.				1867.			
	Instituted.	Decided on their merits.	Finally disposed of.	Pending above one year.	Instituted	Decided on their merits.	Finally disposed of	Pending above one year.
Commissioner	109	109	109	...	135	135	135	...
Amherst.								
1. Deputy Commissioner ...	333	307	331	..	506	441	507	...
2. Assistant Commissioner's	87	13	36	...	39	24	40	...
11. Myookes	275	241	274	..	310	252	304	...
Total. ..	645	561	641	...	854	717	851	...
Tavoy								
1. Deputy Commissioner ..	576	535	576	...	656	629	656	...
1. Ex. Asst. Commissioner ..	525	507	526	..	479	459	479	..
3. Myookes	342	341	342	..	475	461	475	...
Total ...	1443	1383	1414	...	1610	1549	1610	...
Mergui.								
1. Deputy Commissioner ...	282	282	282	...	258	234	258	...
1. Ex. Asst. Commissioner .	473	444	473	..	409	384	409	...
3. Myookes	98	97	98	...	67	65	67	...
Total ..	853	823	853	..	734	683	734	...

Conti ued.

District and Description.	1866. Instituted.	Decided on their merits.	Finally disposed of.	Pending above one year.	1867. Instituted.	Decided on their merits.	Finally disposed of.	Pending above one year.
Shweigyeen.								
1. Deputy Commissioner ..	11	9	11	.	4	4	4	...
2. Asst. Commissioners ...	14	12	11	..	16	15	16	...
1. Ex. Asst. Commissioner ..	91	91	91	...	51	38	51	..
5. Myookes	187	115	186	...	115	75	118	...
Total ...	303	227	302	...	186	132	189	...
Tenasserim Division.								
Commissioner	109	109	109	..	135	135	135	...
4. Deputy Commissioners .	1202	1133	1200	...	1428	1308	1425	...
4. Assistant do	51	25	50	...	55	39	56	...
3. Ex. Asst. Commissioners.	1089	1042	1090	...	939	881	939	...
22. Myookes	902	794	900	...	967	853	964	...
Grand Total ..	3353	3103	3349	..	3519	3216	3519	...
Increase ..	...	...	...	..	166	113	170	...

25. The above exhibits on the whole an increase of 166 cases instituted, 113 disposed of on their merits and 170 in the number finally disposed of, when compared with the preceding year. There were no cases of above one year pending in any of the Courts of this Division.

26. Colonel Brown was Commissioner of this Division throughout the year.

27. The number and result of the Appeals disposed of during the year by the above officers are given below:—

District.	Name and Official Designation.	Regular Appeal.							Second Appeal.						
		For trial in 1867.	Number confirmed.	Number reversed or modified.	Rejected.	Struck off in default.	Pending.	For trial in 1867.	Number confirmed.	Number reversed or modified	Rejected.	Struck off in default.	Pending.
Amherst ...	Lieut. Colonel Faithfull Deputy Commissioner ...	1	...	...	...	...	...	7	4	1	1	1	...
	" Ryan "	...	...	...	...	...	...	3	3	...	...	...	...
	Captain Browne	...	...	...	...	...	1	1	...	...	...	...	1
	Total ...	1	...	...	...	...	1	11	7	1	1	1	1
Tavoy ...	Major Coote	...	...	...	...	...	...	2	1	...	1	...	...
Mergui ...	Mr. Shepherd	...	...	...	...	...	...	4	2	2	...	...	...
Shwegyeen.	Captain Harrison	...	...	...	...	...	...	5	4	...	1	...	...
	" Strover "	...	...	...	...	...	...	1	1	...	...	...	...
	Total ...	...	...	...	...	...	...	6	5	...	1	...	...
	Grand Total ...	1	...	...	...	...	1	23	15	3	3	1	1

28. From the above table it will be seen that there was only one regular Appeal and 23 second Appeals for trial in

the Court of the Commissioner, out of 23 second Appeals, 15 were confirmed, 3 reversed or modified, 3 rejected, one struck off in default, and 1 pending at the close of the year. The 2 remaining Appeal cases have been disposed of since the close of the year.

29. The following officers were Deputy Commissioners in charge of the Districts in the Division during the year 1867.

AMHERST DISTRICT.

Lieut. Colonel E. M. RYAN, from 1st January to 21st March 1867.

Captain C. W. STREET, from 21st March to 14th May 1867.

Lieut. Colonel G. FAITHFULL, from 14th May to 20th December 1867.

Captain H A. BROWNE, from 10th to 31st December 1867.

TAVOY DISTRICT.

J. K. MACRAE, Esquire, from 1st January to 18th May 1867.

Major C. COOTE, from 19th May to 16th December 1867.
Lieut Colonel G. FAITHFULL, from 17th December to the end of the year.

MERGUI DISTRICT.

T. SHEPHERD, Esquire, was Deputy Commissioner throughout the year.

SHWE GYEEN DISTRICT.

Captain W. P. HARRISON from 1st January to 20th March 1867.

Mr. D. F. LONSDALE, from 20th March to 2nd May 1867.

Captain G. A. STROVER, from 2nd May to 31st December 1867.

30. The following abstract shews the number and result of the Appeals disposed of by the Deputy Commissioners of the several Districts during the year 1867.

COURT.	Appeal for trial in 1867. No.	Confirmed No	Reversed or Modified.	No. Rejected.	Otherwise disposed of.	Pending.
Deputy Commissioner Amherst, . .	104	27	30	12	7	28
do do Tavoy, ...	115	76	31	1	1	6
do do Mergui, ...	80	40	37	3		.. ..
do do Shwe Gyeen, ..	91	41	29	8	1	12
Total, . .	390	184	127	24	9	46

31. In Amherst district out of 104 appeal cases for trial during the year, 39 were comfirmed including rejected cases, 30 reversed or modified, 7 otherwise disposed of and 28 pending at the close of the year, the result does not speak favorably for the Myookes whose orders were appealed against.

32. Of the 115 Appeal cases for trial before the Court of the Deputy Commissioner of Tavoy during the year, the number confirmed was 76, reversed or modified 31, rejected 1, otherwise disposed of 1, and the number remained pending at the close of the year was 6, the result appears to me satisfactory.

33. In the Mergui Deputy Commissioner's Court, there were for trial in 1867, 80 Appeals of which 40 were confirmed, 37 reversed or modified, 3 rejected and none pending at the close of the year, the number reversed is not favorable to the subordinate Courts.

34. The number of Appeals before the Deputy Commissioner Shwe-gyeen was 91, out of which 41 were confirmed, 29 reversed or modified, 8 rejcted, 1 otherwise disposed of and 12 remained pending, a result not unsatisfactory.

35 The following Officers were Assistant and Extra Assistant Commissioners in charge of subdivisions during the year of report.

AMHERST DISTRICT.

HEAD QUARTERS, MAULMAIN.

Mr. G. E. Barr, Assistant Commissioner 2nd Class, throughout the year.

MARTABAN SUBDIVISION.

Lieut W. G. Hughes, Assistant Commissioner 2nd Class, from 1st January to 12th February 1867.

Captain Forbes, Assistant Commissioner 3rd Class, from 27th to the end of the year.

KAUKAREET SUBDIVISION.

Captain Forbes, Assistant Commissioner 3rd Class, from 1st January to 27th March 1867.

TAVOY DISTRICT.

Moung Shwe Kyee was Tsitkay or Extra Assistant Commissioner, 2nd Class, for the whole year.

MERGUI DISTRICT.

Moung Shwe Bo, Tsitkay or Extra Assistant Commissioner, 2nd Class, throughout the year.

SHWE-GYEEN DISTRICT.

YOONZALEEN SUBDIVISION.

Mr. Buckle was Assistant Commissioner, 3rd Class from September to the end of 1867.

SITTOUNG SUBDIVISION.

Moung Byau was Extra Assistant Commissioner 1st Class, from the 1st January to the 11th December 1867.

Moung Shwe Ngyaing, was Tsitkay or Extra Assistant Commissioner 2nd Class, Shwe-gyeen to the end of the year.

36. The subjoined statement exhibits the total number of cases disposed of by the Assistant and Extra Assistant Commissioners or Tsitkays, the number of appeals preferred from their decisions and the result of the appeals disposed of during the year 18 7.

District and Court of.	Cases disposed of in 1867.	Appeals.					
		Appeal preferred.	Number confirmed.	No. reversed or modified.	Rejected.	Otherwise disposed of.	Pending.
Amherst District.							
Asst. Commissioner, Maulmain,	10	.....	.....	.. ..	..	.....	.....
do Thatone,	16	.....	.....	....	.....	.....	... .
Total, ...	26	.....	.....	....	.....	.....	.. .
Tavoy District.							
Extra Asst Commr. Tsitkay, .	247	54	37	14	1	.. .	2
Mergui District.							
Extra Asst. Commr. Tsitkay. ...	539	70	36	31	3	.....	.....
Shwe-gyeen District.							
Asst. and Ex. Asst. Commrs, ..	46	11	4	5		1	1
Ex. Asst. Commr's. or Tsitkay,	337	19	9	6	3	..	1
Total, .	383	30	13	11	3	1	2
Grand Total, ...	1195	154	86	56	7	1	4

37. The above shews that of 1195 suits disposed of by the Assistant and Extra Assistant Commissioners, 154 were appealed, and of those appealed 86 were confirmed, 56 reversed or modified, 7 rejected, 1 otherwise disposed of and 4 pending at the end of the year under review.

38. There were 26 cases disposed of by the Assistant Commissioner in Amherst District, against which no Ap-

peals were preferred during the year, which is very satisfactory.

39. Captain Browne in his Report makes the following remarks, "Having been so short a time in the District "I am hardly qualified to pronounce a decided opinion on "the merits of the subordinate officers." Mr. Barr, "Assistant Commissioner, Maulmain appears to be a most "valuable Assistant." Mr. Forbes, Assistant Commissioner "at Thaton, I know to be a zealous and intelligent 'Officer."

40. Out of 247 cases disposed of by the Tseetkay of Tavôy, 54 were appealed, of these 37 were confirmed, 14 reversed or modified, 1 rejected and 2 pending. The Deputy Commissioner, Lieut. Colonel Faithful having only received charge of the District from 17th December, has made no report on the qualification of the Tseetkay.

41. The Tseetkay of Mergui disposed of 539 cases during the year under report, of which 70 cases were Appealed, of these 36 were confirmed, 31 modified or reversed, and 3 rejected, the result is not favorable. Mr. Shepherd in his Report states that the Tseetkay of Mergui has conducted his duties with fairness and to the best of his ability.

42. In Shwegyeen District, there were 46 cases disposed of by the Assistant, and Extra Assistant Commissioner, and 337 by the Tseetkay, making a total of 383 cases, of these 30 were appealed, of which, 13 were confirmed, 11 reversed or modified, 3 rejected, one otherwise disposed of and 2 remaining at the close of 1867.

43. The following statement gives the total number of cases disposed of by each Myooke, the number of Appeals preferred from their decisions, and the result of the Appeals disposed of during the period under review.

Districts.	COURTS.	Cases disposed of.	Appeals preferred.	Appeals No. confirmed.	Appeals No. reversed or modified	Appeals Rejected.	Appeals Otherwise disposed of.	Appeals Pending.
	Myooke of Zeah ...	118	25	6	5	5	1	5
	" " Becloogyoon ...	135	36	5	11	5	...	15
	" " Gyne Attaran ...	62	9	2	7	...	...	...
	" " Gyne Salwen ...	74	6	1	1	2	...	2
	" " Hlinebwai ...	39	2	2	..	..	..	..
Amherst ...	" " Thoungyeen ...	48	6	3	2	...	1	
	" " Wagroo	91	2	2		...		..
	" " Yea Lamyne ...	81	2	1	1	...	.	
	" " Martaban	173	16	5	3	...	*2	6
	" " Thatone	8	...	..	..	...	.	..
	" " Phagat	49	..	...	..	...	...	...
	TOTAL ...	878	104	27	30	12	7	28
	Myooke of N. E. Division.	88	27	16	8	..	1	2
Tavoy ...	" " S. E. do ..	109	19	10	7	...	...	2
	" " Western do ...	93	15	13	2	...	...	..
	TOTAL...	290	61	39	17	..	1	4
	Myooke of Palaw	82	8	4	4	...	...	...
Mergui ...	" " Tenasserim ...	41	2	...	2	...	...	..
	" " Lenya	26	...	...	...	..	...	..
	TOTAL ..	149	10	4	6	..	...	...
	Myooke of Kyouk-kyee ...	112	7	4	1	1	..	1
	" " Shwegyen ..	76	11	7	4	...	...	...
Shwegyeen	" " Sittang	78	7	3	2	2	...	...
	" Beeling & Kyke-hto.	211	36	14	11	2	...	9
	" " Yoonzalen ...	52	...	...	...	..	...	...
	TOTAL ...	529	61	28	18	5	...	10
	GRAND TOTAL ..	1846	236	98	71	17	8	42

44. There were 22 Myookes or Extra Assistant Commissioners 3rd class in this Division. They disposed of 1846 cases on trial, of these 236 were appealed, 98 were confirmed, 71 reversed or modified, 17 rejected, 8 otherwise disposed of, and 42 remaining at the end of the year 1867. The result does not speak favorably for the legal knowledge of these Assistants.

45. The Deputy Commissioner of Amherst in his Report observes thus, "The Myookes who have disposed of

"the greatest number of cases, are Moung Bho, Myooke of "Beeloogyoon 135 cases, Moung Shwe Aye of Zeah 118 "cases. Moung Ee of Martaban and Phagat, 210 cases. "The Myooke from whose decisions I know have been the "greatest number of Appeals is Moung Bho of Beeloo- "gyoon and a larger proportion of his decisions were re- "versed than any other Myookes, he is recently appointed "and will perhaps improve."

"Of the Myookes as Judicial officers, I can only say "that I have not yet been able to discover any one among "their number with any aptitude or zeal for the dispatch of "Judicial work"

TAVOY DISTRICT.

46. As stated before, Lieut. Colonel Faithful has made no report on the Myookes of his District, but the number of cases decided by them and the result of Appeals preferred from their decisions is not unfavorable.

MERGUI DISTRICT.

47. In this District the Deputy Commissioner states that "The result of appeals from the subordinate Courts "is not good, but I believe all the officers to be upright, and "that they conducted the duties of their several Courts "with fairness and to the utmost of their abilities."

SHWEGYEEN DISTRICT.

48. The Deputy Commissioner of Shwegyeen has remarked that the result of Appeals preferred from the decisions of Myookes in this District are chiefly in favor of Moung Shwe Bwen, the Myooke of Shwegyeen, but from the rest of the Myookes, it cannot be considered as satisfactory.

49. The average duration of each description of cases in all the Courts was as follows:—

COURTS.	Appeals.		Original suits		Miscel. cases.	
	Months.	Days.	Months.	Days.	Months.	Days.
Commissioner	1	8	...	.	..	1
Deputy Commissioner Amherst .	2	19	..	10	.	25
" Tavoy .	1	6	1	6	.	1
" Mergui	...	16	.	1	..	1
" Shwegyeen	..	6	..	10	.	2
Assistant Commissioner, Amherst ...	...	..	.	12	...	17
" Shwegyeen	...	..		12	..	1
Extra Assistant Commissioner, Tavoy	..	..	...	14	..	1
" Mergui	..	...	...	7	...	1
" Shwegyeen . ..	...	.	..	8	...	2
Myooke of Amherst District	...	..	..	14	...	7
" " Tavoy	..	...	. .	14	...	1
" " Mergui	...	...	...	6	..	3
" " Shwegyeen	..	..	...	7	...	2

50. In the Commissioners Court the average duration of Appeals was 1 month and 8 days against 1 month and 17 days in 1866, and in Miscellaneous cases the average was in both years only 1 day.

51. In the Amherst District the average duration of appeal cases in Deputy Commissioners Court was 2 months and 19 days against 18 days in 1866. Captain Browne in his report states as follows:—" Having so recently " taken charge, and the former Deputy Commissioner hav- " ing left no Memo. on the subject, the present Deputy " Commissioner is not able to assign a reason for this un- " favorable result "—As stated before, I attribute much of this delay to the numerous changes in the Officers appointed to the charge of the Amherst District, which was held by no less than four different officers during the year under review.

52. In original suits the average duration of cases in all the Courts in Amherst District have been very much the same during the last two years.

53. The average duration of Miscellaneous cases in the several Courts of this District was 7 days against 1 the year previous.

54. In Tavoy District the average duration of Appeals before the Deputy Commissioner's Court was 1 month and 6 days. In Original suits the average was 1 month and 6 days in the Deputy Commissioners Court, 14 days in the Tseetkays, and 14 in Myookes, and in Miscellaneous cases the average was only 1 day in all Courts.

55. The duration of Appeals before the Deputy Commissioner of Mergui District, during the year under review was 16 days, in the year 1866 it was 12 days. The average duration in Original suits in Deputy Commissioner's Court was only 1 day, in Tseetkays Court 7 days, and in Myookes Court 6 days.

56. The average duration of suits in the Courts of Deputy Commissioner, Shwegyeen was 6 days in Appeals, 10 days in Original suits, and 2 days in Miscellaneous suits.

57. In the Assistant and Extra Assistant Commissioner's Courts, the average duration was 10 days in Original suits, and only 1 day in Miscellaneous suits, and in Myooke's Courts the average was 7 days in Original and 2 days in Miscellaneous suits. The return is satisfactory.

58. The total amount of value of Appeals, Original suits and Miscellaneous cases was as follows :—

Description of Cases.	1866.			1867.		
	Rs.	A.	P.	Rs.	A.	P.
Of Appeals	56,473	6	10	46,947	10	8
Original suits	2,19,171	...	5	1,73,154	12	5
Miscellaneous cases	13,388	11	7	15,821	10	11
Total ...	2,89,033	2	10	2,35,924	2	...
Decrease ...	.....	...	...	53,099	...	10
The value of Stamps amounted to						
For Appeals	3261	12	...	3786	15	...
Original suits	15,083	6	...	17,[illegible]	[illegible]	...
Miscellaneous cases	1153	4	...	1511	7	...
Total ...	19,498	6	...	23,161	4	...
Increase ...	.....	...	...	3662	14	...
The costs of every description including Stamps &c.						
For Appeals	4314	7	8	4849	...	3
Original suits	25,261	14	8	26,890	10	6
Miscellaneous cases	2501	13	3	3113	1	8
Total ...	32,078	3	7	34,852	12	5
Increase ...	.....	...	...	2774	8	10

59. It will be observed from the above that there has been a large decrease of Rupees 33,099 in the value of suits instituted during the year as compared with the previous year, but the value of Stamps filed in suits, and the amount of costs of every description have increased, the former by Rupees 3662, and the latter by Rupees 2774. The increase in the value of Stamps sold and the costs is doubtless owing to the new Stamp Act No. XXVI of 1867, which came into operation on the 1st May 1867, the decrease in the valuation of suits is attributable to the depressed state of trade and to the higher rates of Stamp duty, as I concur generally in the opinion expressed by Captain Browne, an extract from his report is recorded, but I am not yet prepared to endorse his opinion that the new Stamp duties will cause a decrease in litigation, nor can the result in my opinion be proven, until the great stagnation of trade in this Division as well as in other parts of India ceases.

"The result is attributable to two concurrent causes "each of which affected and in some degree counteracted "the other. These causes were the increase of the rates of

"Stamp duty under Act XXVI of 1867 and the extremely "depressed state of trade. The pressure put upon petty "traders in consequence of the embarrassed state of the "money market made every creditor anxious to realize his "assets. To procure payment of their small debts, they "at once went into the Courts, but the outlay required to "commence suits of larger amount, made them hesitate "and exhaust every other means of obtaining payment be-"fore taking the debtor into Court. Act XXVI of 1867 "was brought into operation as soon as possible after its "promulgation, but it can hardly be said to have been "fully worked before the commencement of the second "half of the year."

* * * * *

"From the above figures, it will be clear that the "effects of the new Stamp Law have been decrease of "litigation and of Stamp duty."

60. The Deputy Commissioner of Mergui District in concluding his report makes the following remarks on the working of the new Stamp law.

"In conclusion I beg to report, that Act XXVI of 1867, "Schedule B. has worked well since it has been intro-"duced into this District, it has stopped all vexatious suits "and at the same time increased the Stamp Revenue. The "only men who have suffered by it, are Pleaders."

61. There was only 1 case instituted during the year in the Court of Deputy Commissioner, Amherst, it was brought against the Superintendent of the Central Prison to recover the value of firewood cut by Convicts on the Plaintiffs ground, a decree was given for the Plaintiff for a portion of his claims

62. Having received charge of this Division a month and 10 days after the close of the year under report, I am not acquainted sufficiently with the working of the subordinate officers to make special mention as to their Judicial qualifications.

I have the honor to be,

Sir,

Your most obedient servant.

E. M. RYAN, LIEUT. COLONEL.

Offg. Commissioner, Tenasserim Division

of British Burma.

P. S.—As directed in your letter No, 1867 of 12th of September 1867, I herewith enclose in Original the Annual Civil Reports from the Deputy Commissioner of this Division, and to request their return to this office when no longer required.

E. M. RYAN LIEUT. COLONEL,

Offg. Commissioner, Tenasserim Division

of British Burma.

No. 1.

Statement of Suits of every description instituted, disposed of, and pending before all the Courts, European and Native, in the Division of Tenasserim of British Burma, during the year 1867.

1	2	3	4	5	6	7	8	9
	No. of Suits pending at the close of the year 1866.				No. of Cases instituted during the year 1867.			
	Appeals.	Original suits.	Miscellaneous cases.	TOTAL.	Appeals.	Original suits	Miscellaneous cases.	TOTAL.
Commissioner's Court ...	4	...	...	4	20	...	135	155
TOTAL ...	4	...	...	4	20	..	135	155
AMHERST.								
Deputy Commr. Class ...	7	...	3	10	97	2	505	604
Assistant do do . .	...	2	1	3	...	32	39	71
Extra do do ...	...	...	...	...	...	...	...	...
Myookes	...	69	10	79	...	865	310	1175
TOTAL ...	7	71	14	92	97	899	854	1850
TAVOY.								
Deputy Commr. Class ...	1	1	...	2	114	...	656	770
Ex. Assistant do do ...	...	15	...	15	..	236	479	715
Myookes	...	...	...	...	...	290	475	765
TOTAL ..	1	16	...	17	114	526	1610	2250
MERGUI.								
Deputy Commr. Class ..	...	..	...	...	80	1	258	339
Ex. Assistant do do ...	...	...	...	...	. .	539	409	948
Myookes	...	...	...	...	...	149	67	216
TOTAL ...	...	...	...	...	80	689	734	1503
SHWEGYEEN.								
Deputy Commr. Class ..	5	..	..	5	86	2	4	92
Assistant do do ..	...	..	...	...	...	50	16	66
Ex. Assistant do do ...	...	7	...	7	...	330	51	381
Myookes	...	18	3	21	...	522	115	637
TOTAL ...	5	25	3	33	86	904	186	1176
GRAND TOTAL ...	17	112	17	146	397	3018	3519	6934

No. 1.—(*Continued.*)

	10	11	12	13	14	15	16	17	
	No. of Cases disposed of during the year 1867.				No. of Cases pending at the close of the year 1867.				Remarks.
	Appeals.	Original suits.	Miscellaneous cases.	Total.	Appeals.	Original suits.	Miscellaneous cases.	Total.	
Commissioner's Court ..	22	...	135	157	2	..	...	2	
Total	22	.	135	157	2	...		2	
Amherst.									
Deputy Commr. Class	76	2	507	585	28	.	1	29	
Assistant do do ..	...	26	40	66	.	8	..	8	
Extra do do ...	...	...	...	...	...	.	.	.	
Myookes ..	...	878	304	1182	..	56	16	72	
Total ..	76	906	851	1833	28	64	17	109	
Tavoy.									
Deputy Commr. Class	109	1	656	766	6	...	.	6	
Extra do do	...	247	479	726	...	4	.	4	
Myookes .	.	290	475	765	.	...	..	..	
Total .	109	538	1610	2257	6	4	...	10	
Mergui.									
Deputy Commr. Class	80	1	258	339		..		...	
Ex. Assistant do do .	.	539	409	948	...	.	...	...	
Myookes		149	67	216	...	..	..	...	
Total .	80	689	734	1503	..	.	..	...	
Shwegyeen.									
Deputy Commr. Class	79	2	4	85	12	..		12	
Assistant do do		46	16	62	.	4	..	4	
Extra do do		337	51	388	...	...	.		
Myookes .		529	118	647	..	11	...	11	
Total	79	914	189	1182	12	15	...	27	
Grand Total ...	366	3047	3519	6932	48	88	17	148	

MAULMAIN,
COMMISSIONER'S OFFICE,
THE 7TH MARCH 1868.

E. M. RYAN LIEUT. COLONEL,
Offg. Commissioner Tenasserim Division of British Burma,

No. 2

Classification of Appeals and Original Suits instituted before all the Courts in the Division of Tenasserim, British Burma, during the year 1867, as per Columns 6 & 7 of Statement No 1

	APPEALS									
	AMHERST					TAVOY				
	Before Commissioner	Deputy Commissioner, 1st Class	Assistant Commissioner, Class	Extra Assistant Commissioner, Class.	Myookes.	Total.	Deputy Commissioner, 3rd Class	Extra Assistant Commissioner, 3rd Class	Myookes	Total.
1	2	3	4	5	6	7	8	9	10	11
I - SUITS NOT CONNECTED WITH IMMOVABLE PROPERTY.										
1 Houses	6					..	6			6
2 Lands	4	23	..			23	16			16
3 Mortgages							8		..	8
4 Fisheries		1				1				..
5. Inheritance		2				2	12			12
6 Other Cases		1				1	1			1
II —SUITS CONNECTED WITH IMMOVABLE PROPERTY										
1. Debt	1	20				20	5			5
2 Damages for Breach of Contract, or loss or injury to Property	1	13				13	3			3
3 Damages for personal injuries and wrongs		5	...			5	3			3
4 Marriage or Divorce		4	..			4	8			8
5. Inheritance ..			.			...	2			2
6 Other Cases .	8	28				28	50		..	50
Total	20	97	.	...		97	114			114

No. 2.—(*Continued.*)

	Mergui.				Shwegyeen.					
	Deputy Commissioner.	Extra Assistant Commissioner.	Myookes.	Total.	Deputy Commissioner, Class.	Asst. Commissioner, Class.	Extra Assistant Commissioner, Class.	Myookes.	Total.	Grand Total.
1	12	13	14	15	16	17	18	19	20	21
I.—Suits not connected with unmovable Property.										
1. Houses	...	...	...	...	...	.....	.....	...	..	12
2. Lands	12	...	...	12	15	.....	.....	...	15	70
3. Mortgages	...	...	...	...	...	.....	.....	...	...	8
4. Fisheries	...	...	...	...	3	.....	.....	...	3	4
5. Inheritance	2	...	...	2	1	.....	.....	...	1	17
6. Other Cases	...	...	...	...	...	.....	.....	...	...	2
II.—Suits connected with unmovable Property.										
1. Debt	25	...	...	25	16	.....	.....	...	16	67
2. Damages for Breach of Contract, or loss or injury to Property	11	...	...	11	7	.....	.....	...	7	35
3. Damages for personal injuries and wrongs ..	...	...	...	...	1	.....	.....	...	1	9
4. Marriage or Prince ...	5	...	...	5	2	.....	.....	...	2	19
5. Inheritance	2	...	...	2	2	.....	.....	...	2	6
6. Other Cases	23	...	...	23	39	.....	.....	...	39	148
Total ...	80	...	...	80	86	.....	.....	...	86	397

No. 2.—(*Continued.*)

ORIGINAL.

AMHERST.					TAVOY.				MERGUI.			
Deputy Commissioner, Class	Asst. Commissioner, Class.	Extra Assistant Commissioner, Class.	Myookes.	Total.	Deputy Commissioner, Class.	Extra Assistant Commissioner, Class.	Myookes.	Total.	Deputy Commissioner, Class.	Extra Assistant Commissioner.	Myookes.	Total.
22	23	24	25	26	27	28	29	30	31	32	33	34
.....	1	.....	13	14	.....	6	2	8	.....	3	....	3
....	.....	.....	103	103	.....	20	34	54	....	14	4	18
.....	1	....	9	10	.....	1	7	8	....	8	.....	8
.....	.....	....	7	7	.....	1	....	1	.....	....	....	.....
....	.....	....	....	....	.....	3	11	14	...	3	1	4
.. ..	.....	.....	37	37	.....	6	18	24	....	4	33	37
.....	19	....	219	238	.....	47	33	80	.....	145	24	169
....	2	....	97	99	....	25	42	67	.....	19	9	28
.....	1	.....	16	17	....	3	20	23	....	....	4	4
.....	2	.....	12	14	....	3	12	15	....	29	11	40
....	.....	.....	12	12	.....	6	4	10	.....	...	5	5
2	6	....	340	348	.....	115	107	222	.. 1	314	58	373
2	32	.....	865	899	.....	236	290	526	.. 1	539	149	689

No. 2.—(*Continued.*)

	Shwegyeen.					Grand Total.
	Deputy Commissioner, 1st Class.	Assistant Commissioner.	Extra Assistant Commissioner, 1st Class.	Myookes.	Total.	
1	35	36	37	38	39	40
I.—Suits not connected with unmovable Property.						
1. Houses	....	....	9	3	12	37
2. Lands	....	4	20	32	56	231
3. Mortgages	....	....	8	2	10	36
4. Fisheries	....	....	....	11	11	19
5. Inheritance	1	1	3	1	6	24
6. Other Cases	....	....	3	10	18	111
Suits connected with unmovable Property.						
1. Debt	....	21	217	245	483	970
2. Damages for Breach of Contract, or loss or injury to Property	....	2	6	67	75	269
3. Damages for personal injuries and wrongs	....	3	3	22	28	72
4. Marriage or Prince	....	7	38	24	69	138
5. Inheritance	....	3	10	7	20	47
6. Other Cases	....	9	13	98	121	1064
Total	1	50	330	522	904	3018

MAULMAIN,
Commissioner's Office,
the 7th March 1868.

E. M. RYAN, Lieut. Colonel,
Offg. Commissioner Tenasserim Division of British Burma.

No. III.

Detail of Suits disposed of by all the Courts in the Division of Tenasserim, during the year, 1867.

1		2	3	4	5	6	7	8	9	10
Description of Suits.	COURTS.	Rejected.	Decided on Trial. In favor of Appellant or Plaintiff.	Decided on Trial. In favor of Respondent or Defendant.	Decreed Exparte.	Compromised.	Withdrawn or dismissed in default.	Transferred.	Total.	Remarks.
Appeals.	Commissioner's Court, ...	3	3	15	.....	.....	1	.....	22	
	Amherst District.									
	Deputy Commissioner, Class ...	12	30	27	3	.....	4	.....	76	
	Assistant do do ...	.....	.....	.....	.....	.....	.....	.....	.....	
	Extra do do do ...	.....	.....	.....	.....	.....	.....	.....	.....	
	Myookes, ...	.....	.....	.....	.....	.....	.....	.....	.....	
	Total, ...	12	30	27	3	.....	4	.....	76	
	Tavoy District.									
	Deputy Commissioner, Class ...	1	32	76	.....	....	.....	.....	109	
	Extra Assistant do do ...	.....	.....	.....	.....	.....	.....	.....	.....	
	Myookes, ...	.....	.....	.....	.....	.....	.....	.....	.....	
	Total, ...	1	32	76	.....	.....	.....	.....	109	
	Mergui District.									
	Deputy Commissioner, Class ...	3	37	40	.....	.....	.....	.....	80	
	Extra Assitant do do ..	.....	.....	.....	.....	.....	.....	.....	.....	
	Myookes, ...	.....	.....	.....	.....	.....	.....	.....	.....	
	Total.	3	37	40	.....	.....	.....	.....	80	

No. III.—*Continued.*

Detail of Suits disposed of by all the Courts in the Division of Tenasserim, during the year, 1867.

1	2	3	4	5	6	7	8	9	10
Description of Suits. / COURTS.	Rejected.	Decided on Trial. In favor of Appellant or Plaintiff.	Decided on Trial. In favor of Respondent or Defendant.	Decreed Exparte.	Compromised.	Withdrawn or dismissed in default.	Transferred.	Total.	
Shwe Gyeen.									
Deputy Commisioner, Class, ..	8	29	41	.....	.....	1	.....	79	
Assistant do do ..	.....	.....	.....	.....	.....	.....	.....	.....	
Extra do do do ...	.....	.....	.....	.....	.....	.....	.....	.....	
Myookes, ...	.....	.....	.....	.....	.....	.....	.....	.....	
Total, ...	8	29	41	.....	.....	1	.....	79	
Grand Total, ...	27	131	199	3	.....	6	.....	366	
Amherst District.									
Deputy Commissioner, Class, ...	.....	2	.....	.....	.....	.....	.....	2	
Assistant do do ..	.....	14	7	1	.....	2	2	26	
Extra do do do ...	.....	.....	.....	.....	.....	.....	.....	.....	
Myookes, ...	15	449	187	31	53	138	5	878	
Total, ...	15	465	194	32	53	140	7	906	

ORIGINAL CASES.	TAVOY DISTRICT.								
	Deputy Commissioner,	Class ...	.....	1	...	.....	...	.....	.....	1
	Extra Assistant do	do ...	1	154	49	9	32	2	.....	247
	Myookes		2	149	112	1	26	.....	.....	290
		Total,.....	3	304	161	10	58	2	.....	538
	MERGUI DISTRICT.									
	Deputy Commissioner,	Class ...	.....	.....	.....	.....	1	.....	.....	1
	Extra Assistant do	do ...	1	374	54	32	39	39	.....	539
	Myookes, ...		1	117	22	3	3	3	.....	149
		Total,.....	2	491	76	35	43	42	.....	689
	SHWE GYEEN DISTRICT.									
	Deputy Commissioner,	Class ...	1	.....	1	.....	.....	.....	.....	2
	Assistant do	do ...	2	28	2	.....	9	5	.....	46
	Extra do do	do ...	19	167	50	10	48	43	.....	337
	Myookes		4	226	81	16	125	77	.....	529
		Total,.....	26	421	134	26	182	125	.....	914
		Grand Total,.....	46	1681	565	103	336	309	7	3047
	Commissioner's Court, ...		.....	62	73	.....	.....	.....	.....	135
	AMHERST DISTRICT.									
	Deputy Commissioner,	Class ...	43	401	40	.....	.....	2	21	507
	Assistant do	do ...	2	18	6	.....	3	3	8	40
	Extra do do	do ...	.....	.....	.....	.....	.....	.....	.....	.....
	Myookes, ...		6	208	44	3	16	27	.....	304
		Total,.....	51	627	90	3	19	32	29	851

No. III.—*Continued.*

Detail of Suits disposed of by all the Courts in the Division of Tenasserim, during the year 1867.

1		2	3	4	5	6	7	8	9	10
Description of Suits.	COURT.	Rejected.	Decided on Trial. In favor of Appellant or Plaintiff.	Decided on Trial. In favor of Respondent or Defendant.	Decreed Exparte.	Compromised.	Withdrawn or dismissed in default.	Transferred.	Total.	Remarks.
Miscellaneous.	**Tavoy District.**									
	Deputy Commissioner, Class ...	18	522	107	.....	.....	.....	9	656	
	Extra Assistant do do ...	.....	444	15	.....	20	.....	..	479	
	Myookes, ...	2	452	9	5	7	.....	.....	475	
	Total, ...	20	1418	131	5	27	.....	9	1610	
	Mergui District.									
	Deputy Commissioner, Class ...	23	137	97	.....	1	...	.....	258	
	Extra Assistant do do ...	.....	372	12	2	5	18	.....	409	
	Myookes, ...	1	65	.....	.....	1	.....	.....	67	
	Total, ...	24	574	109	2	7	18	.....	734	
	Shwe Gyeen District,									
	Deputy Commissioner. Class ...	.....	2	2	....	.....	....	...	4	
	Assistant do do ...	.....	13	2	.....	1	.....	.....	16	
	Extra do do do	6	26	12	.....	3	4	.....	51	
	Myookes, ...	.....	73	2	.....	36	7	....	118	
	Total, ...	6	114	18	.....	40	11	.....	189	
	Grand Total, ...	101	2795	421	10	93	61	38	3519	

MAULMAIN,
COMMISSIONER'S OFFICE.
The 7th March 1868.

E. M. RYAN,
LIEUT COLONEL,
Offg. Commissioner Tenasserim Division of British Burma.

No. 4.

Supplementary Civil Return of the Division of Tenasserim, for the year 1867.

1	2	3		4		5			6			7			8
		Longest period any case on the file at the close of the year has been pending.		Average duration of suits disposed of during the year.		Total amount value of suits instituted during the year.			Value of stamps on law papers filed during the year.			Costs of every description inclusive of stamps and Pleader's fees incurred by parties in suits disposed of during the year.			REMARKS.
		Months.	Days.	Months.	Days.	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.	
ORIGINAL.	Commissioner's Court, ...	.....	.....	.....	.....	.....	...	...	..	...	..	..	...		
	AMHERST DISTRICT.														
	Deputy Commr, 1st Class. ...	.....	.....	.....	10	3,337	...	..	208	..	..	261	...	...	
	Assistant do 3rd do ...	1	12	.....	12	4,552	14	6	449	2	..	553	5	3	
	Extra do do 1st do ...	.....	.....	.....	.....	.....	...	...	.....	..	..	.....	..	..	
	Myookes ...	19	5	.....	14	55,240	...	2	6,292	3	..	8,848	11	11	
	Total, ...					63,129	14	8	6,949	5		9,763	1	2	
	TAVOY.														
	Deputy Commr, 3rd Class, ...	1	6	1	6	.....	...	.	..	..	...	87	13	...	
	Extra Asst, do do ...	2	24	.....	14	12,845	3	3	1,153	5	...	2,105	2	3	
	Myookes, ...	3	22	.....	14	16,731	12	5	1,639	12	...	3,619	7	6	
	Total, ...					29,576	15	8	2,793	1		5,812	6	9	

No. 4.—*Continued.*

Supplementary Civil Return of the Division of Tenasserim, for the year 1867.

1	2	3		4		5			6			7			8
		Longest period any case on the file at the close of the year has been pending.		Average duration of suits disposed of during the year.		Total amount value of suits instituted during the year.			Value of stamps on law papers filed during the year.			Costs of every description inclusive of stamps and Pleader's fees incurred by parties in suits disposed of during the year.			Remarks.
		Months.	Days.	Months.	Days.	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.	
Original—*Continued.*	**Merqui.**														
	Deputy Commr, 4th Class,				1	48			5			5	6		
	Extra Asst, do do				7	16,855	3	6	1,889	4		3,136	15	8	
	Myookes,				6	4,924	15	2	539	8		1,095	15	1	
	Total,					21,828	2	8	2,424	12		4,238	4	9	
	Shwe-gyeen.														
	Deputy Commr, 2nd Class,				10	1,827	14		147			242	13		
	Assistant do do	1	16		12	7,198	4	11	606	8		813	14		
	Extra do do do				8	18,666	13	9	1,500			1,776	14	6	
	Myookes,	1	3		7	30,936	10	9	3,442	4		4,243	4	4	
	Total,					58,629	11	5	5,695	12		7,076	13	10	

APPEALS.

Commissioner's Court,	...	.....	10	1	8	4,781	5	10	339	...	...	426	14	...
AMHERST DISTRICT.														
Deputy Commr, 1st Class,	...	19	.....	2	19	10,858	2	2	932	14	...	1,127	15	8
Assistant do do	...	.....	.....	.....	.....	.....	...	...	.....	...	...	.....	...	...
Extra do do do	...	.....	.....	.....	.....	.....	...	...	.....	...	...	.....	...	...
Myookes,	...	.....	.....	.....	.....	.....	...	...	.....	...	...	.....	...	...
Total,	...					10,858	2	2	932	14		1,127	15	8
TAVOY.														
Deputy Commr, 3rd Class,	...	3	4	1	6	12,692	7	4	942	.....		1,353	14	1
Extra Asst do do	...	.....	.....	.....	.....	.....	...	...	.....	...	...	.....	...	...
Myookes,	...	.....	.....	.....	.....	.....	...	...	.....	...	...	.....	...	...
Total	...					12,692	7	4	942			1,353	14	1
MERGUI.														
Deputy Commr, 4th Class,	..	.....	.....	.....	16	5,899	6	7	560	1	..	808	4	6
Extra Asst do do	...	.....	.....	.....	.....	.....	...	...	.....	...	...	.....	...	...
Myookes,	...	.....	.....	.....	.....	.....	...	...	.....	...	...	.....	...	...
Total,	...					5,890	6	7	560	1		808	4	6
SHWE-GYEEN.														
Deputy Commr, 2nd Class,	...	1	18	.....	6	12,716	4	9	1,013	.....		1,132	...	...
Assistant do do	...	.....	.....	.....	.....	.....	...	...	.....	...	...	.....	...	...
Extra do do do	..	.....	.....	.....	.....	.....	...	...	.....	...	...	.....	...	...
Myookes,	...	.....	.....	.....	.....	.....	...	...	.....	...	...	.....	...	...
Total,	...					12,716	4	9	1,013			1,132		

No. 4.—*Continued.*

Supplementary Civil Return of the Division of Tenasserim, for the year 1867.

1	2	3		4		5			6			7			
		Longest period any case on the file at the close of the year has been pending.		Average duration of suits disposed of during the year.		Total amount value of suits instituted during the year.			Value of Stamps on Law papers filed during the year.			Costs of every description inclusive of Stamps and Pleader's fees incurred by parties in suits disposed of during the year.			Remarks.
		Months.	Days.	Months.	Days.	Rs	A.	P.	Rs.	A.	P.	Rs.	A.	P.	
	Commissioner's Court, ...	.....	....	.....	1		...	..		..	.		...	..	
	AMHERST DISTRICT.														
	Deputy Commr, 1st Class, ..	.....	23	.....	25	432	...	.	146	2	...	193	2	...	
	Assistant. do do ...	.....	4	....	17	1,046	14	11	36	9	...	179	11	5	
	Extra do do do ...	...	....	....	.....	....	..	..	..	..	..	..	..	..	
	Myooker, ...	3	20	.....	7	871	13	7	505	15	..	934	2	...	
	Total, ...					2,350	12	6	688	10		1,306	15	5	

MISCELLANEOUS.	**TAVOY.**													
	Deputy Commr, 3rd Class,	.....	5	....	1	...	...	..	73	14	...	73	14	...
	Extra Asst do do	.....	5	.....	1	.....	..	...	91	13	..	202	8	...
	Myookes.	.....	2	.....	1	.....	..	..	122	9	...	234	12	..
	Total,								288	4		511	2	
	MERGUI.													
	Deputy Commr, 4th Class,	.....	.....	....	1	29	5	.	33	4	..	49	8	...
	Extra Asst do do	.....	.....	.....	1	261	13	10	136	5	...	471	...	2
	Myookes.	.....	.....	.....	3	528	8	7	17	8	..	68	9	4
	Total,					819	11	5	187	1		589	1	6
	SHWE-GYEEN.													
	Deputy Commr, 2nd Class,	.....	.....	.....	2	1,361	8	..	7	8	..	7	8	..
	Assistant do do	.....	.....	.....	1	1,718	..	...	22	12	..	88	8	...
	Extra Asst do do	.....	.....	.....	2	3,520	13	9	154	...	...	269	14	9
	Myookes,	.....	.....	.....	2	6,050	13	3	163	4	...	340	..	...
	Total,					12,651	3		347	8		705	14	9
	Grand Total,					2,35,934	2		23,161	4		34,852	12	5

MAULMAIN:
COMMISSIONER'S OFFICE,
The 7th March 1868.

E. M. RYAN, LT. COL.
Offg. Commissioner, Tenasserim Division,
British Burma.

A.

Average duration of Suits in the Civil Courts of the Tenasserim Division of British Burma during the year 1867.

COURTS.	APPEALS.		ORIGINAL.		MISCELLANEOUS.	
	Months.	Days.	Months.	Days.	Months	Days.
COMMISSIONER'S COURT.	1	8	....	....	....	1
Court of Deputy Commissioner, Amherst District ..	2	19	....	19	.. .. ..	25
Ditto. ditto. Tavoy ditto.	1	6	1	6	.....	1
Ditto. ditto. Mergui ditto.	.....	16	....	1	....	1
Ditto. ditto. Shoay-Gyeen ditto ...	....	6	....	10	....	2
Court of Asst. Commissioner, Amherst District ...	....	....	....	12	....	17
Ditto. ditto. Shoay-Gyeen ditto. ..	....	... .	....	12	.....	1
COURT OF EXTRA ASSISTANT COMMISSIONER.						
Court of Tseetkay, Shoay-Gyeen District, ...	. .. .	....	....	8	....	2
Ditto. Tavoy ditto.	.....	....	....	14	.....	1
Ditto. Mergui ditto.	.....	....	....	7	....	1
Court of Myo-Okes, Amherst District, ...	....	....	....	14	....	7
Ditto Tavoy ditto.	.....	....	....	14	. . ....	1
Ditto Mergui ditto.	....	....	....	6	. ...	3
Ditto Shoay-Gyeen ditto.	....	....	....	7	....	2
Total average for the Division, ...	1	5	....	12	....	5

MAULMAIN,
COMMISSIONER'S OFFICE.
The 7th March 1868.

E. M. RYAN.
LIEUT COLONEL,
Officiating Commissioner, Tenasserim Division of British Burma.

B.

Statement shewing the Result of Appeals and second Appeals in Civil suits from all the Courts in the Tenasserim Division during the year 1867.

COURTS.	Number Rejected.	Decree for Appellant on Trial.	Decree for Respondent on Trial.	Otherwise settled or adjusted.	TOTAL.
Court of the Commissioner, Tenasserim Division	3	3	15	1	22
Court of Deputy Commissioner, Amherst District	12	30	27	7	76
ditto ditto Tavoy ditto	1	32	76		109
ditto ditto Mergui ditto	3	37	40		80
ditto ditto Shoay-Gyeen ditto	8	29	41	1	79
Total, .. .	27	131	199	9	366

MAULMAIN,
COMMISSIONER'S OFFICE.
The 7th March 1868.

E. M. RYAN,
LIEUT COLONEL,
Officiating Commissioner, Tenasserim Division of Brit sh Burma

C.

Statement shewing the results of appeals and second appeals in all the Courts in the Tenasserim division of British Burma during the year 1867

Courts from which the second appeals and appeals were preferred.	Tenasserim Division.				
	Decree for respondent.	Decree of Lower Court reversed or modified	Rejected.	Otherwise settled.	Total.
2nd Appeals to the Court of the Commissioner T. D.					
From Court of the Dy Comr, Amh't District	7	1	1	1	10
ditto ditto Tavoy ditto	1	.	1	...	2
ditto ditto Mergui dito	2	2	...	...	4
ditto do Shoay-gyeen do	5	....	1	.....	6
Total, ..	15	3	3	1	22
Appeals to the Court of the Deputy Commissioner, Amherst District.					
From Court of the Asst Comr. Amh't Distrit,	.....	.	.	.	..
ditto Myookes, ditto	27	30	12	7	76
Total, ...	27	30	12	7	76
Appeals to the Court of the Deputy Commissioner, Tavoy District.					
From the Court of Tsitkay, Tavoy District,	37	14	1	...	52
ditto Myookes ditto	39	17	.	1	57
Total, ..	76	31	1	1	109
Appeals to the Deputy Commissioner, Mergui District.					
From the Court of the Tsitkay, Mergui Di't,	36	31	3	.	70
ditto Myookes ditto	4	6	.....	..	10
Total, .	40	37	3		80
Appeals to the Deputy Commissioner, Shwe-gyeen District.					
From the Asst Commr. Shwe-gyeen District	4	5	...	1	10
ditto Tsitkay ditto	9	6	3	.	18
ditta Myookes ditto	28	18	5	....	51
Total, ..	41	29	8	1	79
Grand Total, ..	199	130	27	10	366

MAULMAIN:
Commissioner's Office,
The 7th March 1868.

E. M. RYAN, Lieut Col.
Offg Commr, Tenasserim Division, British Burma.

D.

Statement shewing the duration of civil cases in each grade of Court in each District of the Tenasserim Division during the year 1867.

District.	Grade of Court.	Number of Cases decided within days as under.															Total number of Cases.	Total number of days	Average duration of each case.
		1 day.	2 days	3 days.	4 days	5 days.	6 days.	7 days.	8 days	9 to 15 days.	16 to 21 days	25 to 30 days.	31 to 45 days.	46 to 60 days.	61 to 90 days.	91 to 120 days.			
Amherst.	Deputy Commr's Court Original suits,	...	...	...	...	...	...	...	...	2	...	...	...	...	...	...	2	20	10
	Assistant Commr's Court do	...	...	3	...	6	...	...	4	4	9	...	...	...	...	...	26	314	12
	Myooke's Court. do	...	...	...	...	...	228	240	140	70	150	40	33	40	27	10	878	12771	14
	Total.	...	...	3	...	6	228	240	144	76	159	40	33	40	27	10	906	13105	14
Tavoy	Deputy Commr's Court Original suits,	...	...	...	...	...	...	...	...	...	...	...	1	...	...	...	1	36	36
	Tsitkay's Court, do	6	11	13	14	20	12	18	13	53	46	19	16	4	2	...	247	3471	14
	Myooke's Court. do	5	26	25	17	14	13	14	17	10	85	31	19	12	2	...	290	4077	14
	Total,	11	37	38	31	34	25	32	30	63	130	50	36	16	4	...	53	7584	14
Mergui.	Deputy Commr's Court Original suits,	1	...	...	...	...	...	...	...	...	...	...	...	...	...	...	1	1	1
	Tsitkay's Court. do	71	69	78	63	42	34	36	20	65	34	10	7	6	2	2	539	4184	7
	Myooke's Court, do	12	29	26	17	13	4	10	4	19	8	...	6	...	1	...	149	976	6
	Total,	84	98	104	80	55	38	46	24	84	42	10	13	6	3	2	689	5161	7

D.—*Continued.*

Statement shewing he duration of civil cases in each grade of Court in each District of the Tenasserim Division during the year 1867.

District.	Grade of Court.	Number of Cases decided within days as under													Total number of Cases.	Total Number of days.	Average duration of each case.
		1 day.	2 days.	3 days.	4 days.	5 days.	6 days.	7 days.	8 days.	9 to 15 days.	16 to 24 days.	25 to 30 days.	31 to 45 days.	46 to 60 days.	61 to 90 days.	91 to 120 days.			
Shwe-gyeen.	Deputy Commissioner's Court Original suits	.....	.....	.....	.....	.....	.....	.....	1	...	1	...	...	...	...	..	2	21	10
	Assistant Commissioner's Court do ..	..	20	3	3	...	1	1	6	3	3	5	..	....		1	46	598	12
	Tsitkay's Court, do ..	..	31	19	53	56	25	28	25	20	28	36	16	..	..	...	337	2809	8
	Myooke's, Court, do ..	45	69	94	43	35	31	56	54	47	24	27	4	...	..	...	529	3764	7
	Total, ...	45	120	1 69	99	91	57	85	86	70	56	68	20			1	914	7102	7

Maulmain:
Commissioner's Office,
The 7th March 1868.

E. M. RYAN, Lieut Col
Offg. Commissioner, Tenasserim Division.
of British Burma

E.

Statement shewing the proportion in which Appeals from each grade of Court were decided or otherwise dealt with in the Tenasserim Division during the year 1867.

DISTRICT.	From Deputy Commissioners Court to Commissioners.	From Assistant Commissioner's Court to Deputy Commr's.	From Ex. Assistant Commr's Court to Deputy Commr.	From Ex. Asst. Commr. 2nd Class Tecknays to Deputy Commissioner.	From Ex. Asst. Commr. 3rd Class Mye-Oke to Deputy Commissioner.
AMHERST.					
Judgment confirmed including rejected cases	8	...	...	...	39
Reversed or modified...	1	...	...	...	30
Otherwise disposed of	1	...	...	..	7
Pending	2	...	...	...	28
TAVOY.					
Judgment confirmed including rejected cases	2	...	..	38	39
Reversed or modified	...	...	...	14	17
Otherwise disposed of	...	...	...	...	1
Pending	...	...	...	2	4
MERGUI.					
Judgment confirmed including rejected cases	2	...	..	39	4
Reversed or modified	2	...	...	31	6
Otherwise disposed of	...	...	..	...	...
Pending	.	...	...	...	...
SHOAYGYEEN.					
Judgment confirmed including rejected cases	6	4	...	12	83
Reversed or modified	...	5	...	6	18
Otherwise disposed of	..	1	...	...	...
Pending	...	1	...	1	10
TENASSERIM DIVISION.					
Judgment confirmed including rejected cases	18	4	...	89	115
Reversed or modified	3	5	..	51	71
Otherwise disposed of	1	1	...	...	8
Pending	2	1	...	3	42
TOTAL...	24	11	...	143	286

MAULMAIN,
COMMISSIONER'S OFFICE,
THE 7TH MARCH 1868.

E. M. RYAN, LIEUT COLONEL,
Offg. Commissioner, Tenasserim Division of British Burma.

F.

Detailed statement of Miscellaneous cases and those arising under Section 22 of Act 1 of 1863 instituted, disposed of, and pending as entered in cols. 4, 8, 12, and 16 of statement No. 1 in the Courts of the Tenasserim Division for the year 1867.

NATURE OF CASES.	PENDING.		INSTITUTED.		DISPOSED OF		PENDING.	
	Appeals.	Miscellaneous Cases.	Appeals.	Miscellaneous Cases.	Appeals.	Miscellaneous Cases.	Appeals.	Miscellaneous Cases.
AMHERST.								
For Letter of Administration under Act XXVII of 1860.	..	..	...	6		6	...	...
Execution of Decrees	...	14	...	200		214	.	...
Interlocutory Orders	...	...	...	114	.	114	...	..
For drawal and payment of deposit	...	...	...	80		80	..	...
Report in Civil cases &c. &c.	...	...	...	454	..	437	...	17
TOTAL	...	14	...	851	..	851	...	17
TAVOY.								
Petition for review of Judgment	...	...	...	2	..	2	..	...
Application for Certificates for the collection of debts on Succession	...	...	...	10		10	...	.
All other Miscellaneous Petitions, Notices, Reports, or business of every description	...	...	...	1339	...	1339	..	...
Proceedings and Reports from the Ex. Asst. Commr's. 2nd and 3rd classes and other Native functionaries.	...	...	...	20	...	20	...	...
Application for execution of Decrees	...	...	...	227	...	227	...	...
Miscellaneous cases referred by the Deputy Commr. ...	...	...	...	12	...	12	..	...
TOTAL	...	...	...	1610	..	1610	..	...

MERGUI.								
Application for Copy of Decree	...	...	...	124	...	124	...	...
Petitions to decide the case according to custom	...	...	...	6	..	6	..	...
" Cost of Suit	...	...	...	25	..	25	..	...
" Of an Appeal against order	...	...	5	.	5	...	..	..
" For Certificate of administration	..	...	..	2	...	2	..	...
Application for situation	..	..	...	20	..	20	...	...
Execution of Decree	...	...	...	72	...	72	..	...
Application for review of Judgment	..	..	..	5	..	5	...	..
" " Remarks	...	.	...	1	...	1	..	...
Miscellaneous Petitions	...	...	...	474	...	474	...	...
TOTAL	...	...	5	729	5	729	...	...
SHWE-GYEEN.								
Application for execution of Decrees and for withdrawal of Warrants of attachment	.	3	...	171	...	174	.	..
Appplication by Owners for restoration of unclaimed property	...	...	..	10	...	10	..	...
" To administer to Intestate Estates	..	..	...	1	.	1	...	..
Other Miscellaneous cases	..	..	..	4	..	4	...	..
TOTAL	.	3	...	186	...	189	...	..

MAULMAIN,
COMMISSIONER'S OFFICE,
THE 7TH MARCH 1868.

E. M RYAN, LIEUT. COLONEL,
Offg. Commissioner, Tenasserim Division of British Burma.

REPORT

ON THE ADMINISTRATION OF CIVIL JUSTICE IN THE AMHERST DISTRICT FOR THE YEAR 1867.

1. The last Annual Civil Report was drawn up by an Officer who had charge of the District for 15 days only before the close of the year, and on the present occasion the Deputy Commissioner labors under a similar disadvantage he having received charge of the District for the first time on the 10th December last.

Officers in charge of District

2. The following Officers had charge of the District during the past year.

LIEUT. COL. E. M. RYAN, 1st Jan. to 21 March 80 days,

CAPTAIN C. W. STREET, 21st March to 14th May 54 days.

LIEUT. COL. FAITHFULL, 14th May to 10th Dec. 110 days,

CAPTAIN H, A. BROWNE 10th Dec. to 31st Dec. 21 days.

Total 365 days.

Subordinate Officers

4. The following Assistant Commissioner and 1st class Extra Assistant Commissioner held office under the Deputy Commissioner during the year.

HEAD QUARTERS SUBDIVISION.

Comprising township Zeah, Beeloogyoon, Amherst, Yea, Lamyne and Gyne Attaran.

G. E. BARR Esq. the whole year.

MARTABAN SUBDIVISION.

Comprising townships of Thatone, Martaban, Phagat.

Lieut. W. G. HUGHES, from 1st January to 12th of February 1867.

Captain FORBES Assistant Commissioner, rest of the year.

KAUKARIT SUBDIVISION,

Comprising township of Houndraw-Salween, Hlineboay, Gyne Salween.

Captain FORBES Assistant Commissioner from 1st January to 27th March 1867.

Changes among Myo-Okes

4. The following changes have taken place among the Myo-Okes of this District during the year.

Beelongyoon.—Myo Oke Moung Weng was pensioned and made over charge of his office on the 1st May to Moung Tsoung, who however was relieved by Moung Bho on the 17th May.

Thatone.—Myo-Oke Moung Goon Ban was pensioned from the 9th March 1867, and was succeeded by his son Moung Htoon Gyau

Amherst.—Myo-Oke Moung Wegalee was removed to the Shwegyeen District on the 2nd April 1867, and Myo-Oke Moung Dwot from Shwegyeen District received charge on the 26th April 1867.

Hpagat.—Myo-Oke Moung Mhone relieved by Myo-Oke Moung Ee on the 9th November 1867

Houndraw.—Myo-Oke Moung Tsat relieved by Myo-Oke Moung Mhoon 16th November 1867

Gyne-Attaran,—Myo-Oke Moung Chaike relieved by Myo Oke Moung Tsat 18th November 1867.

Martaban.—Myo-Oke Moung Ee relieved by Myo-Oke Moung Chaike 23rd November 1867.

No promotion from a lower grade to a higher one has taken place among the Myookes of the District during the past year,

5. The following is a statement of the No. of cases of each description pending at the commencement of the year 1867, as compared with those pending at the commencement of the previous year.

Cases pending at commencement and end of year.

COURTS.	1867.				1866.			
	Appeals.	Original.	Miscellaneous	Total.	Appeals.	Original.	Miscellaneous	Total.
Deputy Commissioner ...	28	...	1	29	7	...	3	10
Asst. Commr. Maulmain...	...	8	...	8	...	2	1	3
Asst. Commr. Martaban ...	...	...	...	...	...	...	...	...
Asst. Commr. Kaukarit ..	...	..	...	..	...	...	...	...
Myookes 11 Courts	...	56	17	72	...	69	10	79
TOTAL ...	28	64	17	109	7	71	14	92

The state of the file therefore in the Deputy Commissioner's Court was much more favorable at the commencement of the year now under report than at the commencement of the previous year. In the Subordinate Courts the reverse was the case as regards the state of the files at the close of the year, vide paras 8-15.

APPEALS.

6. The following is a statement of the No. of Appeals instituted in the District Appellate Court during the past two years.

Cases instituted

	Cases.
1866	98
1867	97

Shewing an insignificant decrease of only one case, but the proportion of Appeals to the No. of Suits in the year

was less in 1867 than in 1866, there having been 97 appeals to 899 suits or 10 per cent, whilst in 1866 there were 98 appeals to 792 suits or 12 per cent.

Cases decided

7. The No. of Appeal cases decided during the two years was as follows;—

	Cases.
1866	108
1867	76
Decrease	32

The following is a statement of the No. of cases decided by the different officers who held the appointment of Deputy Commissioner during the year.

	Cases.
Lieut. Col. Ryan	15
Captain Street	0
Lieut. Col. Faithful	34
Captain H. A. Browne	27
	76

Cases pending.

8. In consequence of the No. of cases decided in 1867 being fewer than in the previous year, there was a considerable increase in the No. of cases pending at the close of the year.

The Nos. being,

	Cases.
1866	7
1867	28
Increase	21

The Deputy Commissioner who had charge at the close of the year tried to reduce the No. of pending cases as much as possible, but he took charge on the 10th of December with an arrear file of 55 cases and there being than only fourteen days before the commencement of the Xmas holidays, he was able to dispose of 27 cases only. Of the remaining cases 19 were disposed of in the month of January of the present year.

Cases of longest duration.

9. Some of the cases decided during the year, and pending at the close of the year, had been on the file for a considerable period The following is a list of such cases.

Case No. 13 *of* 1866. Suit for the value of 83 Dorians Rs. 83 instituted in the Beeloogyoon Myookes Court 27th August 1862, decided 28th August 1863, Appealed to Deputy Commissioner's Court 16th September 1863, remanded for re-decision by the Lower Court 3rd November 1863, decided by Lower Court 17th January 1866, again appealed 15th February 1866, remanded for re-enquiry by Lower Court 10th May 1866, Record received back from Lower Court in September 1867, but not decided before the end of the year. Finally disposed of 10th January 1868.

Appeal case No. 38 of 1866 for a Danee Garden originally instituted in Zeah Myooke's Court 21st March 1866, decided 12th May 1866, appealed 28th May 1866, finally decided 6th November 1867.

Appeal case No. 47 *of* 1866.—For fruit value Rs. 4. Original suit instituted Beeloogyoon Myooke's Court 5th April 1866, decided 3rd March 1866 appealed 10th July 1866, not decided at the end of the year. Finally disposed of 4th February 1868.

Appeal case No. 13 *of* 1867. Original suit Subdivision of ancestral estate instituted in Beeloogyoon Myooke's Court 16th March 1866, decided 10th January 1867, appealed 8th February 1867 re-enquiry by Lower Court ordered case pending at close of year, finally decided 6th January 1868.

Appeal case No. 13 *of* 1866. Suit for land value Rs. 10 instituted in Gyne-Salween Myooke's Court July 1866, decided 24th November 1866, appeal preferred 21st January 1867, remanded for enquiry 19th July 1867, enquiry not completed, case still pending.

10. The Nos of appeals in cases connected with immoveable property during the past two years was as follows:— Classification of Appeals

	Cases.
1866	31
1867	27
Decrease	4

And those not connected with immoveable property,

	Cases.
1866	67
1867	70
Increase	3

Shewing no great variation in the proportion during the two years.

11. The following is a comparative statement of the result of the appeal cases decided by the Deputy Commissioner during the past year. Result of Appeals.

YEAR.	Appeals received and pending at beginning of year.	Decision reversed or modified.	Decision confirmed.	Pending	Proportion of decisions reversed excluding pending cases.
1866	115	35	73	7	..
1867	104	33	43	28	43

A greater proportional No. of the lower Court decisions have been interfered with during the past, than during the previous year.

A statement showing the appeals from each Officer's decisions will be found in para 19.

Duration of appeal cases

12. The average duration of appeal cases during the past two years was as follows :—

	Months	Days
1866	0	18
1867	2	19
Increase	2	1

Having so recently taken charge, and the former Deputy Commissioner having left no memo. on the subject, the present Deputy Commissioner is not able to assign a reason for this unfavorable result.

ORIGINAL CASES.

Cases instituted

13. The following is the No. of Original cases instituted in the Courts of the different grades during the past year.

	Cases.
Deputy Commissioner	2
Asst Commissioner 3 Courts	32
Myookes 11 Courts ...	865
Total	899

This is an increase of 11 per cent over the No. instituted during the previous year 1866 which was 792 cases.

Cases decided

14. The No. of cases disposed of during the past two years in the different grades of Courts was as follows :—

	1866.	1867.
Deputy Commissioner . .	0	2
Asst Commissioner 3 Courts	16	26
Myookes 11 Courts	764	878
Total	780	906

Shewing an increase of work performed in all grades of Courts.

Cases pending

15. There were no cases pending at the close of the year in the Deputy Commissioners Courts, the two cases instituted having been decided within the year.

In the Maulmain Assistant Commissioner's Court 10 cases were disposed of and none remained pending.

In the Martaban Assistant Commissioner's Court 24 cases were instituted and 16 remained pending at the close of the year. This is a large proportion, but is partly due to the greater part of the Suits having been instituted late in the year.

The following is a comparative statement of the No. of Original cases pending in the Myookes Court at the close of the last two years.

	Cases.
1866	69
1867	56
Decrease	13

Considering the increase in the No. of Suits instituted, the decrease is satisfactory.

Classification of original suits

16. The following are the Nos. of the two description of suits i. e. suits "connected with immoveable property" and Suits not connected with immoveable property instituted during the past two years.

Year.	Cases connected with immoveable property.	Not connected with immoveable property.
1866	123	652
1867	169	696
Increase,	46	44

The relative increase therefore has been largest in the Suits connected with immoveable property.

Result of Original cases.

17. The 906 Original cases which were disposed of during the year were decided as follows ;—

In favor of Plaintiff	.....	497
In favor of Defendant	.....	209
Otherwise disposed of	.....	200
	Total	906

Considerably more than half the cases therefore were decided in favor of the plaintiff.

Duration of cases.

18. The following is a comparative statement of the average duration of cases in the Court of different grades during the past two years.

	1866.		1867.	
	M.	D.	M.	D.
Deputy Commissioner ...	"	...	0	10
Asst. Commissioners: 3 Courts	"	13	0	12
Myookes: 11 Courts ...	"	14	"	14

The despatch of work therefore has been very much the same during the last two years.

Work performed by each Myooke.

The following is a list of the Civil Original cases decided by each Officer who held the appointment of Myooke during the year, the number of appeals preferred from such decisions and the result of such appeals.

Township	Names of Myookes	Cases decided.	Appeals from decisions.	Decision reversed or modified up to date of report.	Decision confirmed up to date of report.	Proportion of decision reversed.
Zeah	Moung Shwe ye ..	118	20	5	15	
Beeloogyoon .	Moung Bho ...	135	34	7	14	
Gyne-Attaran ...	Moung Tsat ..	7	...	.	...	
Do. ...	Moung Khyaik ..	55	9	2	7	
Martaban ..	Moung Khyaik ..	12			.	
Do.	Moung Ee	161	16	3	7	
Hpagat ..	Moung Mhone ...	49	...	...		
Gyne-Salween ..	Mg. Shwe Ngone .	74	6	1	3	
Hlimeboay ..	Moung Oh ...	39	2	...	2	
Amherst ..	Moung Dwot } Moung Wekalay }	91	2	..	2	
Houndraw ..	Moung Mhoon ...	48	6	2	4	
Thatone ...	Moung Goon Bah...	8	...	...	.	
Yea	Moung Pai Hlaw .	81	2	1	1	
		878	97	21	55	

The Myookes therefore who have disposed of the greatest No. of cases are.

Moung Bho Myooke of Beeloogyoon 135 cases.

Moung Shwe Aye Myooke of Zeah 118 cases.

Moung Ee Myooke of Martaban and Hpagat 210 cases.

The Myooke from whose decision I know have been the greatest No. of Appeals is Moung Bho of Beeloogyoon, and a larger proportion of his decisions were reversed than any other Myooke's. He is recently appointed and will perhaps improve

Only 8 cases were decided in the Court of the Thatone Myooke in consequence of the old Myooke having been pensioned on the 9th June 1867, and his successor not having had the power in consequence of his name not appearing in the Gazette to try cases. No Judicial work therefore was transacted in the Court for 7 months during year.

MISCELLANEOUS CASES.

Cases instituted

20. The number of Miscellaneous cases instituted during the past two years in each grade of Courts was as follows :—

	1866.	1867.
Deputy Commissioner ..	333	505
Asst. Commissioners, 3 Courts	37	39
Myookes, 11 Courts ..	275	310
Total,	645	854

Cases decided and pending.

21. Nearly all the cases were decided within the year. The number decided was 851 leaving only 17 pending at the close of the year, 1 in the Deputy Commissioner, and 16 in the Myooke's Courts.

The average duration of Miscellaneous cases in the Courts of the different grades during the past two years was as follows :—

	1866.		1867.	
	M.	D.	M.	D.
Deputy Commissioner	"	2	"	25
Asst. Commissioners, 3 Courts	"	3	"	7
Myookes 11 Courts	"	1	"	7

An unfavorable result.

VALUE OF SUITS, STAMPS AND COSTS.

Value of Suits

22. The value of the Suits instituted in the Courts of this District during the past two years was as follows :—

		Rupees.
1866	... ...	103519-11-10
1867	. ..	76338-13- 4
	Decrease	27180-14- 6

Value of Stamps.

The value of the Stamps filed in each suits was as follows:—

		Rupees.
1866	.. ..	6179-4-0
1867	.. ..	8570-13-0
	Increase	2391-9-0

Costs

And the total costs to Suitors were

		Rupees.
1866	. ...	9820-14-1
1867	.. ...	12198- 0-3
	Increase,	2377- 2-2

It will be seen from the above that though there has been an increase in the number of Suits instituted this year the *value* of the Suits is considerably less than the value of the Suits instituted in the previous year.

33. This result is attributable to two concurrent causes each of which affected and in some degree counteracted the other. These causes were the increase of the rates of Stamp duty under Act XXVI of 1867 and the extremely depressed state of trade. The pressure put upon petty traders, in consequence of the embarrassed state of the money market, made every Creditor anxious to realize his assets, to procure payment of their small debts, they at once went into the Courts, but the outlay required to commence suits of larger amount made them hesitate and exhaust every other means of obtaining payment before taking the debtor into Court.

Causes of decrease

Act XXVI of 1867 was brought into operation as soon as possible after its promulgation but it can hardly be said to have been fully worked before the commencement of the second half of the year.

The following statements therefore will contain a tolerably accurate representation of the relative No. of Suits instituted, their value &c. during the year, under the old and under the New Stamp Act.

	Immoveable property.	Others.
No. of suits instituted during the first half of the year under the old Stamp Law...	109	438
Do. in 2nd half under new Stamp Law...	60	258
Decrease	49	180
Value of Suits in 1st half		Rs. 46006
Do. in 2nd half		" 30332
Decrease		" 15674
Value of Stamps on Suits in first-half		Rs. 4441
Do. Do. in second half ...		" 4129
Decrease		" 312
Amount of costs in Suits in first-half ...		Rs. 6280
Do. Do in 2nd half		" 5918
Decrease		" 362

From the above figures it will be clear that the effects of the New Stamp Law have been decrease of litigation and of Stamp duty.

It was unfortunate that the enhanced Stamp duties were imposed at a time when the Commercial centre of the District was suffering from an unprecedented stagnation of trade.

Value of Suits &c in each grade of Courts

24. The following is a comparative statement of the value of suits, Stamps and costs in each grade of Courts during the past two years.

	Deputy Commissioner's Original.		Miscellaneous.		Appeals.	
	Value of suits.		Stamps.		Costs.	
1866	Rs.	14810	Rs.	1040	Rs.	1208
1867	. .	14627		1292		1681
	Decrease	183	Increase	252	Increase	473
	Assistant Commissioner's Court.					
1866 .	Rs.	11413	Rs.	533	Rs.	776
1867 .	"	4984	"	485	"	732
	Decrease	6429	Decrease	48	Decrease	44
	Myo-Okes Courts.					
1866 .	Rs.	77030	Rs.	4601	Rs.	7886
1867 .,,	"	56111	"	6798	"	9782
	Decrease	20919	Increase	2197	Increase	1946

Suit to which Government was a party

25. One suit to which the Government represented by the Superintendent Maulmain jail was a party, was instituted during the year. It was No. 2 of the Deputy Commissioner's Court, and was brought against the Superintendent of the Central Prison, to recover the value of firewood cut by Convicts on the Plaintiff's ground. A Decree was given for the Plaintiff for a portion of his claim.

Registration of Deeds

26. The following is a statement of the Deeds registered in the Maulmain Registry Office during the past two years.

	1866.	1867.
Registry of Wills	1	2
General Register	90	73
Temporary Conveyance Register	69	61
Permanent do ..,	334	299
Total	494	435

The falling off is due to the decreased Commercial prosperity of the Town of Maulmain.

There is no other Registry in the District.

Report on Subordinates

27. Having been so short a time in the District I am hardly qualified to pronounce a decided opinion on the merits of the Subordinate officers.

Mr. Barr, Assistant Commissioner Maulmain appears to be a most valuable Assistant.

Mr. Forbes Assistant Commissioner at Thatone I know to be a zealous and intelligent officer.

Of the Myookes as Judicial officers, I can only say that I have not yet been able to discover any one among their number with any aptitude or zeal for the dispatch of Judicial work.

HORACE A. BROWNE,

MAULMAIN,
THE 17TH FEBRUARY 1868.

Deputy Commissioner,
Amherst District.

No. 32.

To,

THE COMMISSIONER TENASSERIM DIVISION,

BRITISH BURMA: MAULMAIN

Dated Shwe-gyeen 14th February 1868.

SIR,

I have the honor to submit the follwing report on the administration of Civil justice in the Shwe-gyeen District for the past year 1867.

2. The following was the state of the regular files on the 1st of January 1867 and 1868.

	1867		1868
Deputy Commissioner, ...	5	...	12
Asst. Commr. and Extra Asst. Commr. 1st Class,	...	...	4
Tsitkay	7	...	...
Myookes	18	...	11
	30	...	27

Showing in the number pending on the last mentioned date a decrease of 3 cases.

3 The number of suits and Appeals instituted during the past two years is as follows,

	1867		1868
Deputy Commissioners,...	85	...	88
Asst. Commr. and Extra Asst. Commissioner,	34	..	50
Tsitkay	323	..	330
Myooke	741	..	522
	1183	...	990

Which shows a decrease of 193 cases,

4. The number of suits and Appeals finally disposed of and decided on trial in 1866 and 1867, is given below, which shows a decrease of 189 cases over that of the year 1866.

	1866.		1867	
	Decided on trial.	Finally disposed of.	Decided on trial.	Finally disposed of.
Deputy Commissioner, ...	81	..	11	
Asst Commr. & Ex. Asst. Commr 1st Class, .	35	...	46	
Tsitkay	316	...	337	
Myooke, ...	746	.	529	
	1178		993	
Decrease, ...			185	

There were no cases pending above a year in any of the Courts in the District.

5. The following was the state of the Miscellaneous file on the 1st of January 1867 and 1868.

	1867	1868
Deputy Commissioner		...
Asst. Commr. and Extra Asst. Commr. 1st Class,		...
Tsitkay, ...		...
Myookes	3	...
	3	

6. The following Statement shows the number of Miscellaneous cases instituted and disposed of in 1866 and 1867 and shows a decrease of 117 cases instituted and 111 cases disposed of.

	Instituted.	Disposed of.	Pending above one year.
Deputy Commissioner, ...	11	11	
Asst Commr. and Extra Asst. Commr. 1st Class, ..	14	14	
Tsitkay, ...	91	91	
Myookes, ...	187	184	
	303	300	

	Instituted.	Disposed of.
Deputy Commissioner, ...	4	4
Asst. Commr. and Extra Asst. Commr. 1st Class, ...	16	16
Tsitkay, ...	51	51
5 Myookes, ...	115	118
	186	189
	117	111

7. The number and the result of appeals from decisions of the Assistant Commissioner's, Extra Assistant Commissioner and Tsitkay and Myookes are exhibited below which are more by 3 cases instituted than last year 1866.

	Pending at close of 1866.	Preferred during 1867.	Total.	Confirmed.	Reversed	Modified.	Rejected.	Withdrawn or disposed of in default.	Remanded.
Asst. Commr. and Extra Asst. Commr, ...		11	11	4	4	1	...	...	1
Tsitkay		19	19	9	4	2	8	...	...
Myookes	5	56	61	28	8	2	5	1	7
	5	86	91	41	16	5	8	1	8

8· The subjoined statement exhibits the total number of cases disposed of by each Myooke the number of appeals preferred from their decisions and the result of appeals

	Instituted during 1867.	Disposed of during 1867.	Total disposed of.	Preferred during 1867.	Appeals. Compromised.	Remanded.	Rejected	Reversed.	Confirmed.	Disposed of in default.	Modified.
Moung Hmat, ..	85	78	78	7	..	.	2	2	3	.	...
" Wetgalay,	206	211	211	36	.	4	2	5	14	1	1
" Shwe Bwin,	74	76	76	11	. .	2	..	1	7	...	1
" Taw, .	112	112	112	7	...	1	1	..	4	...	...
" Kya Ngyo, ...	45	52	52	..	...	.	..	..	...	..	...
	522	529	529	61		7	5	8	28	1	2

The following statement shows the value of suits instituted decided and pending at the close of 1867.

	Total value of suits instituted in 1867.			Total value of suits decided in 1867.			Total value of suits pending.		
Deputy Commissioner, ..	14,544	2	9	13,847	..	8	899	2	1
Assistant Commr and Extra Asst, Commr. 1st Class,	7,198	4	11	6,574	4	11	624	...	.
Tsitkay	18,666	13	9	19,626	13	9	.....	...	..
Myookes .	30,936	10	...	3,0400	...	.	820	...	...
Total, .	71,34		4	70,448	3	4	2,343	2	1

The number of suits in supposed population of 126017 souls will be in proportion 1 to 139 inhabitants.

The total amount of litigation within the year 1867, was estimated at Rs. 83997 3 2.

The average duration of suits was 6 days in appeals, 5 days in Regular suits and 2 days in Miscellaneous suits.

The percentage of costs to value of suits is 10.70 per cent.

The result of appeals are mostly in favor of Moung Shwe Bwin Myooke of Shwe-gyeen but with the rest of the Myookes it cannot be considered as satisfactory.

I have the honer to be

SIR,

Your most Obedient Servant,

C. E. WATSON.

Deputy Commissioner Shwe-gyeen.

No. 4.

Civil Returns No 1 to IV Annual return of all suits in which Government are concerned,
General Statement of unclaimed property of persons dying intestate in the Tavoy District
Statement of cases involving constructions of the code of civil procedure with transcript of decisions and orders passed by the presiding judges during the past year of 1867
Statement showing the proproportion in which appeals from each grade of Court were decided in the Tavoy District during the year 1867
Statement showing the duration of Civil cases in each grade of Court in each District of the Tavoy Division during the year 1867
Civil Returns A B C, D E and F

To

COL. D. BROWN, COMMISSIONER,

OF TEN: DN. BRITISH BURMA MAULMAIN.

Dated Tavoy the 8th January 1868.

SIR,

I have the honor to forward the annual Civil returns noted in the margin, and the following report of the administration of Civil justice for the year 1867.

2nd. The following was the state of the regular files on the 1st January 1867 and 1st January 1868.

		1867.	1868.
Deputy Commissioner,	Regular suit,	1	..
	Appeals,	1	6
Tsitkay Original suits,		15	4
Myooke's do		...	.
	Total	17	10

Shewing the number of pending on the last mentioned date a decrease of 7 suits.

3rd. The number of suits and appeals instituted during the past two years is given below and shows an increase of 33 cases.

		1866.	1867.
Deputy Commissioner,	Original suits,	2	..
	Appeals,	135	114
Tsitkay Original suits,		247	236
Myooke's, do		223	290
	Total,	607	640

The number of suits and appeals decided on trial and finally disposed of in the year of 1866 and 1867 is given below and shows an increase of 60 cases in the former, and of 53 in the latter, in the year under review. There were no cases pending above one year in any of the several Courts in this Division.

		1866.		1867.	
		Decided on trial.	Finally disposed of.	Decided on trial.	Finally disposed of.
Deputy Commissioner,	Original suits,	1	1	1	1
	Appeals,	134	135	108	109
Tsitkay, Original suits,		192	234	203	247
Myooke's, do		186	224	261	290
	Total,	513	594	573	647
	Increase,	.	.	60	53

5th. The following was the state of Miscellaneous files on the 1st January 1867 and 1st January 1868

	1867	1868.
Deputy Commissioner,	...	
Tsitkay,	...	.
Myooke's,	..	
Total,		...

Shewing none pending in the year under review.

6th. The Statement below shews the number of the Miscellaneous cases instituted and disposed of in the year 1866 and 1867, as also the number of cases of above one year standing at the close of those years respectively, and exhibits an increase of 167 cases instituted, 166 cases in the number disposed of by an order on their merits and 166 cases in the number finally disposed of.

		Instituted.	Disposed of by an order on their merits.	Finally disposed of.	Pending above one year.
1866	Deputy Commissioner,	576	653	576	
	Tsitkay,	525	507	526	
	Myooke's	342	341	342	
	Total,	1,443	1,383	1,444	
1867.	Deputy Commissioner,	656	629	656	
	Tsitkay,	479	459	479	
	Myooke's	475	461	475	
	Total,	1,610	1,549	1,610	
	Increase	167	166	166	
	Decrease,				

7th. The number and result of appeals from the orders of the Tsitkay and Myookes to the Deputy Comissioner are exhibited below. A favorable result for the Lower Courts.

	Pending at the close of 1866.	Preferred during the year 1867.	Total.	Confirmed	Reversed.	Modified.	Rejected.	Remanded.	Quashed.	Pending.
Tsitkay,	1	53	54	37	10	4	1			2
Myookes,		61	61	39	11	6			1	4
Total,	1	114	115	76	21	10	1		1	6

8th. The appeals from the orders of the Deputy Commissioner to the Commissioner Tenasserim Division is only one case during the year under review, which is confirmed.

9th. The subjoined statement exhibits the total number

of cases disposed of by each Myooke, the number of appeals preferred from their decisions and the result of the appeals disposed of during the period under review.

Name and Station.	Instituted during 1867.	Decided on trial.	Finally disposed of.	Total disposed of.	Preferred during the year.	Appeals.					
						Confirmed.	Reversed.	Modified.	Remanded.	Rejected.	Quashed.	Pending.
N. East Myooke, Moung Shway Go, ...	88	79	88	88	27	16	4	4	...	...	1	2
S. East Myooke, Moung Shway Hlau,...	109	94	109	109	19	10	5	2	...	...	...	2
West Myooke, Moung Shway Att, ...	93	88	93	93	15	13	2	..	...	...	...	...
Total, ...	290	261	290	290	61	39	11	6	...	...	1	4

Favourable to the Western Myooke Moung Shwe Att.

10th. The following statement shews the value of suits instituted, decided, and pending at the close of the year.

		Total value of suits instituted in 1867.	Total value of suits decided in 1867.	Total value of suits Pending in 1867.
Deputy Commissioner	Regular Suits, ...	...	1141	.....
	Appeals, ...	12692	12340	352
Tseekay Original Suits,	... ...	12845	11658	187
Myookes do	....	16731	16731	.....
	Total, ...	42268	36719	539

11th. The number of suits on a supposed population of 66974 will be in proportion of 1 to 104.

12th. The total value of the Property litigated within the year was estimated at Rupees 42268, the average value of the suit was Rupees 66.

13th. The average duration of suits, was 36 days in the Deputy Commissioner's Court, 14 days in the Tseetkay's and 14 days in the Myookes.'

The percentage of Costs on the value of the suits averaged 16 per cent.

14th. Agreeably to Circular No. 42 dated 26th September 1862, I beg to report that there was no cases in which Government was concerned which is shewn in the Return herewith forwarded.

15th. The Registers of the Tseetkay's Court were inspected by me and found to be in good order except criminal Register of Non-Bailable cases which was not entered properly as they should have been.

I have the honor to be

Sir,

Your most Obedient Servent.

G. FAITHFULL,

Deputy Commissioner.

No. 4,

To

COL. D. BROWN,

COMMISSIONER T. D. MAULMAIN.

Dated Mergui the 1st January 1868

Statement Nos. 1 to 4.
Comparative statement from Nos. 1 to 11.
Statement in which Government is party.
Duration of Civil cases.
Proportion of Appeal cases decided.
Average duration of Suits.
Statement showing the result of Appeals &c. &c.
Do. Do. Do.
Detailed statement of Miscellaneous cases.

SIR,

I have the honor to forward the Annual Civil Returns noted in the Margin, and the following report of the administration of Civil Justice in the District Mergui.

2. The following was the state of the Regular files on the 1st January 1867 and 1st January 1868, shewing no case pending on the last mentioned date.

	1866		1867.	
	Suit.	Appeal.	Suit.	Appeal.
Deputy Commissioner ..	.....	.....	.....	.....
Tseetkay	.....	.....	.....	.....
Myookes	.....	.....	.....	.....

3. The number of Suits and Appeals instituted during the past two years is given below, and shows a decrease of 163 Regular suits, and an increase of 8 cases in Appeal.

	1866.		1867.	
	Suit.	Appeal.	Suit.	Appeal.
Deputy Commissioner ...	...	72	1	80
Tseetkay	655	....	539	...
Myookes ...	197	.....	149	.....
Total ..	852	72	689	80

4. The number of Regular suits and Appeals decided on trial and finally disposed of in the year 1866 and 1867, is given below, and shows 165 Regular suits decided less than the year 1866. But 8 appeal cases more in the year under review.

	1866.		1867.	
	Suit.	Appeal.	Suit.	Appeal.
Deputy Commissioner ..	..	72	1	80
Tseetkays	657	..	539	.....
Myookes	197		149	.....
Total ...	854	72	689	80

5. The following was the state of Miscellaneous files on the 1st January 1867 and January 1868.

	1867.	1868.
Deputy Commissioner ..	..	.
Tseetkay ...	..	.....
Myookes	...	
Total ...	.....	...

6. The statement below shews the number of Miscellaneous cases instituted and disposed of in the year 1866, and 1867, as also the number above one year's standing at the close of the years respectively (of which there were none) and exhibits a decrease of 119 cases.

	Instituted	Disposed of by an order on their merits	Finally disposed of	Pending above one year
1866				
Deputy Commissioner	282	282	.	
Tseetkay	473	473		
Myookes	98	98		
Total	853	853		.
1867				
Deputy Commissioner	258	258		
Tseetkay	409	409		
Myookes	67	67	.	...
Total	734	734		
Increase	...	.		...
Decrease	119	119		..

7. The result of Appeals from the orders of the Deputy Commissioner, to the Commissioner, and from the Courts of the Tseetkay, and Myookes, to the Deputy Commissioner are exhibited below.

	Pending at the close of 1866.	Preferred during the year	Total.	Confirmed	Reversed.	Modified.	Rejected.	Withdrawn or compromised.
Deputy Commissioner		4	4	2	1	1	...	
Tseetkay	.	70	70	36	27	4	3	
Myookes	...	10	10	4	6	...		
Total ...		84	84	42	34	5	3	

8. The Appeals from the Courts of the Tseetkay and Myookes are 33 reversed, 4 modified, 3 rejected, and 40 confirmed, out of the total number of 80 cases of appeals preferred to this Court during the year under review, the result is not satisfactory.

9. The subjoined statement shows the total number of cases disposed of, appeals preferred from the decision of the Myookes, and the result of the appeals disposed of during the year under review:—

	Instituted during the year.	Decided on trial.	Finally disposed of	Total disposed of.	Appeals. Preferred during the year.	Confirmed.	Reversed.	Modified.	Rejected.
Moung Shoay Go ...	82	76	6	82	8	4	4	..	...
" Htoon Oung	41	38	3	41	2	...	2	...	...
" Tsain Gnyoe ...	26	26	..	26	..	...	...	...	...
" Chit Syan . ..	...	.	...	..	.	...	...	...	...
Total .	149	140	9	149	10	4	6	...	...

10. The following statement shows the value of suits instituted, decided, and pending at the close of the year.

	Total value of suits instituted in 1867.			Total value of suits decided in 1867.			Total value of suits pending at the close of the year 1867.		
Deputy Commissioner	48	.	...	48	...	...	.	.	..
Tseetkay	16855	3	6	16855	3	6	.	...	..
Myookes	4924	15	2	4924	15	2	...	.	...
Total ..	21,828	2	8	21,828	2	8	...	...	...

11. The number of Original suits in supposed population of 42,533 souls will be a proportion of 1 case to 61 souls.

12. The total value of property litigated for, within the year, was estimated at Rs. 21828-2-8, the average value of the Original suits was Rs. 31-10-1.

The average duration of suits was 7 days, 2 days lesser than the preceeding year, which I consider satisfactory. The percentage of costs to the value of suits averaged 6 per cent,

Agreeably to your Circular No. 42 of 26th September 1862, I beg to report that there was no case instituted in which Government was concerned. And in conformity with your docket No. 66 dated 23rd November 1863, I beg to append the following remarks regarding the number of cases in which the decision of the lower Courts has been reversed.

The number of cases, reversed is equivalent to 46 per cent, which I consider is not satisfactory.

There were 70 Appeal cases from the Courts of the Tseetkay Moung Shoay Bo preferred to my Court, of which 27 were reversed, 4 modified and 3 rejected.

Eight appeal cases from the Myooke, of Palaw Moung Shoay Go, of which 4 were confirmed and 4 reversed.

Two appeal cases preferred from the Court of the Myo-Okes of Tenasserim both which were reversed.

The result of Appeals from the Subordinate Courts is not good. But I believe all the officers to be upright and that they conduct the duties of their several Courts with fairness and to the utmost of their abilities.

During the past year I have examined the Subordinate Courts in this District, the Stamps attached to the several suits were of the proper value, and the records were correctly kept.

The following is the list of Registers, and books, kept in the several Subordinate Courts on the Civil side.

1. Register of Suits.
2. Miscellaneous Book.
3. Deposit Book.
4. Stamp refund Certificate Book.
5. Stamp Register.
6. Fees received.
7. Files of orders.
8. Copies of orders.
9. Attendance of witnesses.

In conclusion I beg to report, that Act XXVI of 1867 Schedule B. has worked well since it has been introduced into this District. It has stopped all vexatious suits, and at the same time increased the Stamp Revenue. The only men who have suffered by it, are the Pleaders.

I have the honor to be

Sir,

Your most obedient servant,

T. SHEPHERD,

Deputy Commissioner, Mergui.

No. 1521.

From

E. C. BAYLEY, Esq.

Secretary to the Government of India,

To

CHIEF COMMISSIONER,

of British Burma,

Dated Simla, 1st September, 1868.

Home Department
Judicial.

Sir,

I am directed to acknowledge the receipt of your letters noted on the margin forwarding the Reports on the Admistration of Civil and Criminal Justice in British Burmah for 1867, and in reply to communicate the following observations.

No 85- 1, June 24th 1868
" 94-11, do " "

2. * * * * * * *

3. * * * * * * *

The Civil report reflects little credit on the Courts of first instance, and shows considerable delay in the disposal of cases in some of the higher Courts* without any satisfactory explanation. The statement in paragraph 14 of the * * report that stamp receipts have decreased, although the duty has been raised, and the amount litigated has increased, shou'd not have been forwarded without the explanation that has been called for from the Commissioner of Arracan. The statement in paragraph 26, that the small number of appeals in the Ramree District is attributable to the "approved conduct of cases in the subordinate Courts;" is not borne out by the remark made upon the divisional returns in paragraph 22, that the conduct of

*Courts of Deputy Commissioners of Rangoon, Myaungung and Bassein

cases in the lower Courts is not so satisfactory as it ought to be, and that some of the Judges are deficient in legal knowledge.

4. Paragraphs 34, 35 and 36 of the Civil Report show that from only one Division returns of execution of decrees have been received; that no returns of arbitration have been received at all; and that some officers think it sufficient to *believe* that the Judicial records are properly kept. These fact are all unsatisfactory, and seem to indicate laxity of supervision.

5. It appears from paragraph 53 of the report that a Civil suit was finally disposed of by the Deputy Commissioner of Amherst after a duration of six years, and that 2½ years of that period were taken by the original court in reviewing its own judgment.

6. * * * * * * *

7. The Governor General in Council requests that you will insist upon the punctual and proper submission of divisional reports in order that you may be able to give that complete and accurate resume of the results of the year which is expected by the Government of India.

I have the honor to be,

Sir,

Your most obedient servant.

E. C. BAYLEY,

Secretary to the Government of India.

British Burma.

HOME DEPARTMENT.

(JUDICIAL.)

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REPORT ON CIVIL JUSTICE

FOR

1868.

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MEMORANDUM

BY

MAJOR GENERAL A. FYTCHE, CHIEF COMMISSIONER, BRITISH BURMA

ON THE

REPORT ON CIVIL JUSTICE,

FOR 1868.

INTRODUCTION.

Jurisdiction and Constitution of Courts.

1. As pointed out in previous Reports the various Civil Courts in this Province work under Act VIII of 1859 as amended by the Local Acts I of 1863 and XXIV of 1863. The first of these classifies the Courts and fixes their jurisdiction, and lays down certain special rules for this Province regarding appeals, &c. The second enables the Governor General to invest Courts with extended powers in the sense of enabling them to entertain suits of a lower value than that fixed in Act I of 1863, in fact to modify, in special cases, the rule that a suit must be brought in the lowest Court competent to try it, without repealing or altering for this Province the terms of Section 6 of Act VIII of 1859 or of Section 9 of Act I of 1863, which embody that rule. This method of getting out of the difficulty which would be caused by a rigid following of the rule has been objected to as clumsy, and the Commissioner of Pegu goes so far as to say, in paragraph 32 of his Report, that "the law as it thus stands, is an inconvenience and clogs the working of the Courts" adding "it will have to be amended" but he does not shew in what way it clogs the working of the Courts nor how in his opinion it should be amended. The Chief Commissioner is not at present disposed to recommend any change.

2. As the various Courts will be alluded to as 'Courts of the 1st Grade,' 'Courts of the 2nd Grade' &c., it will be as well to specify here what these terms mean. It has already been noted that Act I of 1863 divides the Courts into Grades: these Grades are:—

1st.—having jurisdiction in suits of not more than Rs. 500 in

value, and presided over by Extra Assistant Commissioners of the 3rd Grade or in Burmese "Myookes," that is "heads of townships" into which every District is divided.

2nd Grade—having jurisdiction in suits of more than Rs. 500 in value but of not more than Rs. 3000, presided over by Extra Assistant Commissioners of the 2nd Grade called in Burmese "Tseekays." These are situated in the large towns and take the place, it may be said, of Small Cause Courts.

3rd Grade—having jurisdiction in suits of not more than Rs. 5000 nor less than Rs. 3000 in value, presided over by Extra Assistant Commissioners of the 1st Grade or by Assistant Commissioners.

4th Grade—having original jurisdiction in suits the value for which exceeds Rs. 5000 and in appellate cases, and presided over by Deputy Commissioners.

5th Grade—having appellate jurisdiction only and presided over by Commissioners of Division.

6th Grade—having special appellate jurisdiction and presided over by the Chief Commissioner.

3. No new Acts affecting the Civil Courts in British Burma came into operation during 1868.

New Acts.

I.—BUSINESS BEFORE THE COURTS.

1. INSTITUTION OF SUITS.

Regular.

4. The number of regular suits instituted fell from 18,306 to 18,261 or by .24 per cent; suits connected with immoveable property and with divorce decreasing by 267 and 199 respectively, and suits connected with moveable property increasing by 421. The decrease in the first occurred, with one exception, in every Grade of Court in all three Divisions: in the Court of the 3rd Grade in Pegu, presided over by Extra Assistant Commissioners of the 1st Grade and Assistant Commissioners and in these only there was an increase of 15. Similarly the only Courts in which there was an increase in divorce cases were the 1st and the 4th Grade Courts in Tenasserim, in the former of which it amounted to 12, and in the latter to 42.

Increase and Decrease.

5. The increase in suits connected with moveable property was almost entirely in the Courts of the 2nd Grade and amounted to no less than 1482 or 9.84 per cent: which was met by a decrease of 1061 or 7.04 per cent in the remaining Courts, especially those of the 1st Grade in Pegu where the number of such suits fell by 753, from 7349 in 1867 to 6596. It is clear, therefore, from the Returns that litigation in all Courts except those of the 2nd Grade, to speak generally, has largely decreased, whereas in these Courts it has largely increased, and further that this increase has been solely in suits connected with moveable property. The explanation of this is not far to seek. The Courts of the 2nd Grade are established in large towns, and, consequently, represent Small Cause Courts; the majority of the suits which come before them are about money and trading matters, the number of suits connected with immoveable property having been only 8.90 per cent of the whole in 1867 and 7.42 per cent of the whole this year. It appears clear, therefore, that litigation has increased amongst the inhabitants of towns, but decreased amongst the rural population. The Chief Commissioner is disposed to regard the former as a healthy sign, shewing increased prosperity and mercantile activity.

Arakan Division.

6. The increase in suits connected with moveable property in Arakan, especially in the Akyab District, was large, being 12.54 per cent. This, the Deputy Commissioner of Akyab states, was partly owing to no 3rd Grade Court having been in existence during the year and, consequently, to suits which would have been brought in that Court being brought in the 2nd Grade Court (presumably by the plaintiffs abandoning a portion of their claim so as to reduce the amount in litigation to such a value as was cognizable by the Court of the lower Grade) and partly to the previous year having been an unsuccessful one in a mercantile sense; and these views the Commissioner of the Division adopts. But an examination of the Returns shews that whilst the increase in the 2nd Grade Courts amounted to no less than 565, the decrease in the 3rd Grade Courts was 149 only. Neither can the remark regarding the badness of the previous year be accepted for in 1867-68, that is during the greater portion of 1867, the previous year, the trade of the Division increased by about 4 per cent. The increase in the value of imports was no less than £215,810, the exports, however, falling

by £72,515, owing to a smaller export of Rice. But this smaller export was due to the want of ships, many of which in that year were taken up for the Abyssinian war, and not to any mercantile crisis or failure of crops, as no less than from 20,000 to 25,000 tons of rice were in stock at the close of 1867-68.

Miscellaneous.

7. The Miscellaneous suits decreased from 7745 to 7387. In two Divisions, Arakan and Pegu, there was an increase, from 1807 to 2170 and from 2419 to 3005. The real meaning of "Miscellaneous suit" does not appear to be understood, each officer interpreting it in his own way: it has been the custom of some officers to make recommendations regarding the appointments of Extra Assistant Commissioners in Miscellaneous Proceedings, and to enter these in their returns. An endeavour will be made to lay down fixed rules on this subject.

---

2. VALUE OF SUITS INSTITUTED.

Regular.

8. The Returns do not shew separately the value of suits connected with immoveable and moveable property and divorce, an omission which will be supplied next year. The total value of suits fell from Rs. 13,04,883 to Rs. 12,90,572 that is by Rs. 14,311 or 1.09 per cent. The number of suits instituted having also decreased the average value of each case has remained at Rs. 71. This decrease in value was, however, in one Division only, where it amounted to no less than Rs. 52,487 or 18.98 per cent, the value of suits instituted having diminished from Rs. 2,76,409 to Rs. 2,23,922. The average value of each suit in this Division, Arakan, fell from Rs. 96 to Rs. 73, a fact which has not been noticed by the Commissioner of the Division, and it is impossible, therefore, to attempt any explanation of it, but it may again be remarked here that the number of suits connected with immoveable property decreased whilst those connected with moveable property increased, and that the decrease in value was in the suits instituted in every Grade of Court, except the 2nd. In these Courts, however, the *average* value fell from Rs. 96 in 1867 to Rs. 88; in the Courts of the lowest Grade the average value

Arakan.

fell from Rs. 107 to Rs. 50, the total value falling from Rs. 1,52,502 to Rs. 61,225 that is by Rs. 91,277 or by 59.85 per cent.

Pegu.

9. In the Pegu Division the total value of suits instituted increased from Rs. 8,55,309 to Rs. 8,90,718 that is by Rs. 35,409 or 4.14 per cent. The total number of cases instituted having fallen by 468 the average value increased from Rs. 68 to Rs. 74. In the Courts of the lowest Grade the total value fell from Rs. 5,07,389 to Rs. 4,28,282 the average value in these suits, which may be roughly taken as connected with immoveable property only, fell slightly from Rs. 57 to Rs. 56. In the Courts of the 2nd Grade the value of the suits increased from Rs. 1,72,832 to Rs. 2,44,981 or by 41.74 per cent, and thus although the number of suits instituted also increased yet the average value rose from Rs. 77 to Rs. 95. In the Courts of the 3rd Grade, entertaining suits between Rs. 3000 and Rs. 5000 in value with occasional exceptions *i. e.*, when they have received special powers under Act XXIV of 1863 alluded to in the Introduction to this Review, the value of the suits instituted rose from Rs. 1,56,522 to Rs. 2,15,035 or by 37.38 per cent, the average value of each suit increasing from Rs. 118 to Rs. 144.

Tenasserim.

10. In the Tenasserim Division the total value of suits instituted increased from Rs. 1,73,165 to Rs. 1,75, 932 but owing to more suits having been instituted, the average value of each fell from Rs. 57 to Rs. 53. The value in the Courts of the 1st Grade fell from Rs. 1,07,834 to Rs. 1,07,023, the average value falling from Rs. 59 to Rs. 50 owing to the number of suits instituted having increased. In the Courts of the 2nd grade also the average value diminished, from Rs. 43 to Rs. 41, owing to the total value of the suits instituted having slightly fallen from Rs. 48,367 to Rs. 47,121 or by 2.5 per cent, the number of suits increasing from 1,105 to 1,130. In the Courts of the 3rd Grade the value increased from Rs. 11,751 to Rs. 18,713, at the same time that the number of suits fell from 82 to 35: the consequence was that the average value rose from Rs. 143 to Rs. 534, but no reason for this very large increase is given. The Deputy Commissioner of one District, indeed, in his 20th paragraph points out that the value of the suits instituted in one Court alone increased from Rs. 2,788 to Rs. 12,770 but he does not account for this.

Miscellaneous.

11. The value of Miscellaneous suits is given in the Returns as Rs. 5,53,419 against Rs. 4,11,683 in 1867. But an examination of these Returns shews that the manner of valuing Miscellaneous suits is apparently hardly more understood than the manner of fixing what should and what should not be classed under that head. For example in the Court of the Commissioner of Pegu, which has appellate jurisdiction only, the number of Miscellaneous suits instituted is given as 40, and their value as nil, whereas in the Court of the Commissioner of Arakan 1 suit was instituted and its value is given as Rs. 475. In some cases it appears to have been the custom to enter as a Miscellaneous suit every application for the execution of a decree, and as its value the amount of the decree which was to be executed. A circular of the Chief Court has, however, during 1869, laid down fixed rules for assessing the value of Miscellaneous suits.

II.—CONDUCT OF BUSINESS BEFORE THE COURTS.

1. 1ST GRADE COURTS.

Arakan Division.

12. The number of cases on the files for disposal in the Arakan Division was 1,232, of which 1,219 are returned as disposed of, leaving 13 pending at the close of the year. It would give an erroneous idea of the work performed by the Courts to allow this to remain unexplained. Of the 1,219 suits entered in the Returns as disposed of no less than 171 were compromised and 312 withdrawn or otherwise disposed of, so that the whole regular work of the Courts was to decide in 736 cases in 135 of which exparte decrees were given, leaving 601 as the number of cases in which a formal trial took place, or 49.30 per cent only of those returned as disposed of. That 38.79 per cent of the cases instituted in this Division in the Courts presided over by Native officers of the lowest Grade and who are most in contact with the rural population should be withdrawn and compromised certainly requires some notice and explanation, but the Commissioner has not alluded to the fact in his Report. The duration of the suits was not on the whole favourable considering that the suits are all of small value, and that the Courts are placed at the doors of the people: 1.81 per cent only were de-

cided in 1 day; 47.74 per cent in more than 1 but less than 8 days; and no less than 50.45 in more than 8 days, of which 75 lasted from 25 to 30 days, 42 from 31 to 45, 14 from 46 to 60 and 6 from 61 to 120. At the end of the year, however, the case longest pending had been on the files for 27 days only, and in this respect the Courts of this Grade in this Division compare favourably with those in Pegu and in Tenasserim as will be shewn further on. In 99 cases out of the 736 in which decisions were given, appeals were preferred: that is in 13.31 per cent were the litigants dissatisfied with the orders passed: last year the percentage was 9.67 only, the number of cases *decided* having been 868 and the number of appeals 84. Similarly the quality of the judgments, judging from the results of the appeals, appears to have deteriorated, for the decisions were upset in 46.50 per cent of the number in which the appeal was decided, against 44.15 per cent last year.

Owing to the decrease in the number of suits the total amount paid as costs fell from Rs. 13,567 in 1867 to Rs. 12,345; the amount paid as stamp fees falling from Rs. 7,447 to Rs. 7,030, and the costs other than stamps to Rs. 5,315 from Rs. 6,110.

Pegu Division.

13. In the Pegu Division there were 158 Suits pending at the commencement of the year which with 7,945 instituted gives 8,103 as the number on the files for disposal. Of these 8,046 were removed, leaving 57 pending at the close of the year; a very great improvement. Of the 8,046 removed from the files 1,872 or 23.26 per cent were withdrawn and compromised and in 5,166 or 64.20 per cent was a judgment given, in 637 exparte. Thus in 56.30 per cent only of those shewn as disposed of was a formal trial held and judgment given. The Commissioner has not remarked on this at all. The duration of cases cannot be considered as favourable, for no less than 50.36 per cent took more than 8 days to decide, of which 88 were concluded in from 16 to 24 days, 27 in from 31 to 45, 6 in from 46 to 60, and 11 in from 61 to 120. The case longest on the file at the close of the year had been 5 months and 12 days pending. This as shewn by the Returns was in the Myanoung District, but neither the Deputy Commissioner nor the Commissioner has even alluded to it. Out of the 5,166 cases in which judgment was given 538 or 10.41 per cent were objected to by the suitors and appealed against; of the 538 appeals 428 were decided of which

217 or 50.71 per cent in favour of the appellant and 211 or 49.29 per cent in favour of the respondent, in other words the decisions were reversed in more than half the cases in which appeals were preferred. The working of these Courts in this Division, if they are to be judged by the Returns, was certainly worse than during the previous year, when of the appeals decided 48.59 only instead of 50.71 were in favour of the appellant.

The actual amount paid by the suitors as costs was considerably more this year, having been Rs. 83,809, against Rs. 77,398 in 1867, but the larger portion of this was paid to Government as stamp fees, that is Rs. 55,534 or 66 per cent of the total costs against Rs. 48,689 or 62.90 per cent in 1867. The remarkable point about the costs levied in these Courts in this Division is that the amount credited to Government as Stamp fees is 66.26 per cent of the whole, whereas in Arakan and Tenasserim it is only 56.13, and 56.93 per cent, and thus apparently the costs other than stamps must be levied on a different scale.

Tenasserim Division.

14. In the Tenasserim Division there were 67 cases pending at the commencement of the year, and 2,104 instituted, and thus 2,171 for decision. Of these 2,091 only were cleared from the files, leaving 80 pending, not so good a result as in 1867, when, however, there were fewer cases for decision, and when fewer were decided. Of those struck off the files, 503 were withdrawn compromised or otherwise disposed of, 1,587 having been decided on trial, in 56 only of which were exparte decrees given. Thus in 75.89 per cent decrees were given, and in 24.11 per cent the suitors themselves settled or withdrew the cases they had instituted. There was a slight falling off in the rapidity with which these Courts worked. Only 2.20 per cent were decided in one day against 3.35 per cent in 1867; 54.18 per cent in more than 1 but less than 8 days against 54.39 in 1867, and 43.62 per cent in more than 8 days against 42.26 in 1867. The number decided in 2 days, and in 4 days increased considerably, but so did those decided in from 9 to 15, from 16 to 24, from 25 to 30, and from 46 to 60 days especially. The case which at the close of the year had been longest on the file had been pending for 17 months and 24 days, according to the Returns, but the Deputy Commissioner states in his Report that the case longest pending at the end of the year had been on the file for 10 days only in his Court, but makes no allusion to this case which has been so long pending

in one of the lowest Grade Courts of the Amherst District, nor does the Commissioner. The number of appeals preferred against the 1587 decisions given in these Courts in this Division was 328 or 20.03 per cent, or about twice as many as in Pegu, and considerably more than in Arakan. Of these 328 appeals 294 were decided, 132 or about 45 per cent in favour of the appellants, that is reversing or modifying the decree of the lower Court, and 162 or about 55 per cent in favour of respondent, confirming the decree of the lower Court.

The total amount paid as costs was Rs. 20,266, against Rs. 17,807 in 1867, but what is very peculiar is that far from this increase being caused by the higher rate of stamp duty or by a larger amount of stamp duty being levied on the larger number of cases, the amount realized from stamps actually fell from Rs. 11,913 to Rs. 11,559, or from 66.90 per cent of the total costs to 56.93 per cent, the costs other than stamps increasing from Rs. 5,894 in 1867 to Rs. 8707 or from 33.10 per cent to 43.07. This, which has brought this Division to about the same position as Arakan as regard stamps, appears to have escaped the notice of the Commissioner of Pegu.

15. On the whole the Courts of this grade have not worked well. The number of cases withdrawn from their files or compromised—in Arakan no less than 38.79 per cent of those instituted—the long duration of the suits considering their simplicity and small value, the number of decisions appealed against—in no case less than 10 per cent and in Tenasserim more than 20 per cent—the number of cases in which their decisions are altered—in no case less than 45 per cent of the appeals decided and in Pegu more than one-half—all tell decisively against these Courts. They were, indeed, worse in 1868 than in 1867. It will be impossible to improve them until the class of men appointed as Judges is improved and until they are more closely supervised; but the class from which the Judges must be selected is restricted and time and education and civilization alone can improve that class; and the work which a Deputy Commissioner in this Province has to perform, owing mainly to the size of the Districts and the utter absence of roads, notwithstanding the length of time which we have had the country and the Revenue it has furnished and the amount spent in it, renders it at present absolutely impossible that the supervision can be so effective as it should be.

Remarks.

2. COURTS OF THE 2ND GRADE.

16. It has already been noted that these Courts are situated in the large towns, and that the majority of the cases which come before them are connected with moveable property. In the Arakan Division the number of cases on the files for disposal increased from 766 to 1307 or by 70.62 per cent, and the number disposed of from 758 to 1288, the number pending at the close of the year being 19 against 8 at the commencement. Of these however only 981 or 76.96 per cent were decided on trial, and of these 216 exparte, 307 having been compromised withdrawn or otherwise disposed of. Notwithstanding the very large increase in cases instituted and disposed of the number of appeals preferred fell from 98 to 69, a very satisfactory improvement, that is from 11.29 to 7.03 per cent of cases decided and at the same time 72.13 per cent of the appeals decided were in favour of the respondent, the decisions being changed in 27.87 per cent only; not only is this good in itself but it is an improvement on last year when the decisions of these Courts were changed by the appellate Courts in 36.04 per cent of the appeals decided. The length of time taken to decide the cases also has decreased; 3.10 per cent were decided in one day against 2.37 per cent in 1867; 46.82 per cent in more than one but in less than eight days against 44.20 last year, and 50.08 against 53.43 in more than eight days; some of the suits, however, appear to have been pending for a long time and at the close of the year one had been on the file for 3 months and 16 days, but then it must be remembered that the work had nearly doubled. The average duration of cases was 9 days.

Arakan.

Although the suits increased so much in number yet the costs increased only from Rs. 10,102 to Rs. 16,829; an examination of these figures shews that the costs for Stamps increased from Rs. 6,552 to Rs. 12,633, or from 65.44 per cent of the whole to 75.07; costs other than stamps increasing from Rs. 3460 to Rs. 4,196 only, that is falling from 34.56 to 24.93 per cent.

17. In the Pegu division the number of suits for disposal including those pending at the commencement of the year increased from 2237 to 2596, the number actually cleared off the files increasing from 2214 to 2579, and thus reducing the number of cases

Pegu.

pending at the close of the year from 23, at which figure it stood at the end of 1867, to 17; of these 2579 cases 2072 or 76.46 per cent were formally tried, in 33 the decision being given after an exparte hearing, and 508 or 23.54 per cent were compromised, withdrawn, or otherwise disposed of, not so good as last year when 80.21 per cent were decided on trial. Owing to the duration of cases in these Courts in 1867 not having been given by the Commissioner in the Report for that year, it is impossible to draw any comparison between the length of time taken to decide cases in 1867 and in 1868. In the latter year no less than 29.10 per cent of the cases were concluded in one day, and 51.43 per cent in more than one but less than eight days, leaving only 19.47 per cent decided in more than eight days. The average duration was 9½ days only. At the close of the year one case had been pending for 8 months and 26 days. This was in the Toungoo District, but although this is the case which has been longest pending in the whole Division the cause of the delay is unexplained by the Deputy Commissioner or by the Commissioner of the Division. The number of appeals against the decisions of these Courts also increased from 144 to 203, that is from 8.10 to 9.79 per cent of the suits decided, but even this is not unsatisfactory, and tends to shew that the decisions of these Courts give satisfaction as a rule. The decisions were upheld in 57.87 per cent of the appeals decided during the year, which is about the same proportion as in 1867 when they were upheld in 57.50 per cent: this is the most unsatisfactory portion of the working of these 2nd grade Courts in this division.

The costs have risen from Rs. 18,438 to Rs. 31,053 or by 68.31 per cent, that is in a larger proportion than the number of suits decided increased but the increase in costs other than stamps was slight, from Rs. 6,155 to Rs. 7,760, the value of stamp papers filed having risen to Rs. 23,293 from Rs. 12,283, and being 75.01 per cent of the total costs, almost exactly the same as in Arakan, against 66.62 per cent last year.

Tenasserim.

18. In the Tenasserim Division the suits for disposal increased but very slightly, from 1127 to 1134, but the number of suits disposed of fell from 1123 to 1108, raising the number pending at the close of the year from 4 to 26; this was principally in the Tavoy district and the Deputy Commissioner remarks that some of the oldest cases, in this case instituted in. Septem-

ber and October, are improperly kept pending for evidence, and both the Deputy Commissioner of Amherst and the Assistant Commissioner of Thatone note that applications for delays are continually made and that the cases are thus kept pending at the request of the parties much longer than they need be. The attention of all officers will be particularly directed to this possible engine of extortion. Groundless suits may be brought against individuals, and, by being intentionally delayed, kept hanging over their heads for months until the plaintiff or the plaintiff's pleader is bought off: the provisions of the Civil Procedure Code if correctly applied are quite sufficient to prevent anything of this kind. Of the 1108 cases which were disposed of 897 or 80.95 per cent were decided on trial, of which 39 were decided exparte. These Courts have done considerably more work this year than they did last, as the number decided on trial in 1867 was 699 only of which 51 were decided exparte. The rapidity also with which they worked has improved: the cases decided in one day fell from 6.86 to 3.15 which is most probably due to the comparatively smaller number withdrawn and compromised, the number of cases decided in more than one but less than eight days increased from 55.39 per cent to 66.07, the number which took more than eight days to try diminishing from 37.75 to 30.78 per cent. The case which at the end of the year had been longest pending had been on the file for 9 months and 3 days. This was in Tavoy, but it cannot be reconciled with the Report of the Deputy Commissioner of that District in which, in the 2nd paragraph, is recorded that "1 "case was pending from September, 2 from October, 7 from "November and 16 from December," as for a case to have been pending 9 months and 3 days at the end of the year, it must have been instituted in the end of March. The number of appeals preferred fell from 143 to 118 that is from 12.64 per cent of the cases decided to 10.66 per cent, of these 109 were decided, and of these 57.79 per cent were in favour of the respondent. This is a decided falling off from last year when the decisions were upheld in 63.57 per cent of the appeal cases tried.

The costs increased slightly from Rs. 7,019 to Rs. 7,539, mainly in the value of stamp papers which was 68.18 per cent of the whole against 64.58 per cent last year. The number of cases decided in Arakan was only 180 more than in Tenasserim and yet the total costs were Rs. 9,290 higher, of

which Rs. 7,493 were in stamps, but this is most probably due to the greater value of the suits decided, for the value of the suits instituted was in Arakan Rs. 1,15,279 but in Tenasserim Rs. 47,121 only. In Akyab there is a Court of this Grade in which the value of the suits instituted was Rs. 1,06,907 but in Maulmain there is none, suits which in Akyab are brought in this Court being in Maulmain instituted in the Recorder's or Small Cause Court, and the value of the cases instituted in the latter was, as shewn by the Report on the Administration of Justice in the Recorder's and Small Cause Courts Rs. 1,12,041: this only includes suits not exceeding Rs. 500 in value; in order to establish a fair comparison all suits of not more than Rs. 3000 in value which were instituted in the Recorder's Court should be taken into consideration but it is impossible, from the Returns alone, to separate these from the rest.

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3. COURTS OF THE 3RD GRADE

19. There were 18 cases pending at the commencement of the year in the Courts of this Grade in Arakan, and 522 were instituted during the year, so that there were altogether 540 for disposal on the files the number for disposal in 1867 having been 706; of these 540 cases 533 were disposed of leaving 7 pending, that is rather more than $\frac{1}{3}$ of the number pending at the end of 1867. Of these 62 were rejected, 140 compromised or withdrawn, and 331 only decided on trial, in 58 of which the decree was exparte, so that in reality it was only in 273 cases out of 533 that a formal trial was held or in 51.21 per cent of those removed from the files or 50.55 per cent of those for disposal during the year, and 25.92 of those instituted were compromised or withdrawn. In one Court, that of the Extra Assistant Commissioner stationed at the Naaf in the Akyab District, no less than 40 per cent of the cases on the file were compromised or withdrawn and 12.22 per cent of the plaints filed were rejected. The Deputy Commissioner, in the 11th paragraph of his Report, states that there was a decrease of 42 in the number of suits instituted in this Court, and giving no explanation of the number of cases which were compromised or withdrawn, attributes it to the effect of the Stamp Act, but considering the number of plaints rejected, no less than 22 out of 178 filed, and the number of suits withdrawn from the Judge's

Arakan.

cognizance by a compromise or a formal withdrawal, the Chief Commissioner is inclined to attribute it to the inefficiency of the presiding officer, Moung Kulla, whom the Commissioner reports to be worn out: he will very shortly be pensioned. Of the cases disposed of 17.23 were decided in one day, 41.57 in more than one but in not more than eight days, and 41.19 in more than eight days. This is a great improvement over last year, when only 1.74 per cent were decided in one day, 50.00 in more than one but not more than eight days, and 48.25 in more than eight days. The average duration also fell from 1 month and 13 days to 25 days. The appeals against the decisions of these Courts were 71 or 21.45 per cent: the decisions appealed against were upheld in 70.59 per cent of the (68) appeals decided.

The costs in these Courts amounted to Rs. 7,487 against Rs. 6,102 last year. The increase was solely in the value of stamp papers filed, due to the Stamp Act, and was from Rs. 3,853 to Rs. 5,051; the costs other than stamps decreasing from Rs. 2,436 to Rs. 2,249, due probably to the smaller number of suits. Thus the value of stamp papers was 63.14 per cent of the total costs.

Pegu.

20. In the Pegu Division the number of suits for disposal, of which 25 were pending from 1867, was 1447, of these 1422 were removed from the files, and 2 were transferred leaving 23 pending. Of these 1422, 1014 were decided on trial, but 187 of these were decided exparte, 144 were compromised, and 164 withdrawn, so that the number of those which did not come to judgment through the action of the parties was 21.65 per cent of those cleared from the files. In the Rangoon Cantonment Small Cause Court no less than 105 cases were decided exparte and only 86 after trial. In no other Court is the number decided in the voluntary absence of the defendant so large as this, and a special report will be called for on the subject, as it certainly leads to the belief that some abnormal cause must have been at work to produce such results as these, more especially as the Returns shew that they were withdrawn or compromised on the same day that the plaint was filed. The duration of cases in these Courts is on the whole satisfactory, 18.40 per cent having been decided in one day, and 33.28 per cent only having lasted more than eight days. This is mainly if not entirely due, however, to the statistics of the Rangoon Cantonment Small Cause Court being included as every case decided in that Court was decided in one day.

The working of the Courts of this Grade in the Rangoon District was not so satisfactory as regards rapidity as it might have been, the average duration of cases having been 1 month and 27 days, and at the end of the year one case had been pending 4 months. It should be stated, however, that the Assistant Commissioner stationed in Rangoon was overworked, as in addition to his judicial duties he had charge of the Treasury and Stamping office, and of the Deputy Commissioner's Revenue office whenever that officer was absent from Head Quarters; this has since been remedied. The number of appeals preferred was 75 or 7.39 per cent only of the cases decided, and 65 of these were tried during the year, but in 53.84 per cent of these the decision was reversed. The costs increased from Rs. 16,656 to Rs. 27,163, but though as in the other Grades of Courts there was a large increase in the stamp fees levied *viz:* from Rs. 11,691 to Rs. 17,546 or of 50. 08 per cent yet the costs other than stamps increased from Rs. 4,965 to Rs. 9,617 or by 94.36 per cent, and it is not at all clear how this was. The ratio of costs other than stamps to the total costs during the two years 1867 and 1868 was 29.80 and 35.40 respectively.

Tenasserim.

21. The work of these Courts in Tenasserim was very light; 12 suits remained pending from 1867 and 35 were instituted during the year, making 47 only on the files altogether for disposal, and 42 of these were disposed of, 5 remaining pending at the end of 1868. Of these only 7 or 16.66 per cent were compromised or withdrawn, and of the 35 tried in one only was the decision given exparte. There is therefore a decided contrast between the work in this division, as far as the 3rd Grade Courts are concerned, and that in the other two. None of these cases were decided in one day, 59.52 per cent in more than one but not more than eight, and 40.48 in more than eight days. As regards the duration of cases, the 3rd Grade Courts in Tenasserim do not contrast favourably with those in Pegu or in Arakan: at the end of the year one case had been pending for 3 months. The percentage of cases appealed to cases decided was 22.85, and in 62.50 per cent of these the decision appealed against was upheld; not so good a result as in Arakan but better than in Pegu.

The costs increased slightly from Rs. 1,367 to Rs. 2,240, the percentage of costs other than stamps increasing in

a greater ratio than the stamp fees, as in Pegu. The value of the stamps filed in 1867 was Rs. 1,055 or 77.17 per cent of the total costs, whereas in 1868 it was Rs. 1,416, the proportion falling to 63.21 per cent.

Miscellaneous.

22. The number of miscellaneous suits disposed of increased in the Pegu Division only from 275 to 413; in Arakan it fell from 441 to 356; and in Tenasserim from 55 to 42. In the former of these two Divisions however the costs increased from Rs. 503 to Rs. 696, the increase in all but Rs. 3, being in the costs other than stamps. In the Pegu Division the costs nearly doubled, increasing from Rs. 998 to Rs. 1,912, the value of the stamps filed and the costs other than stamps increasing in about the same proportion. In the Tenasserim Division, though the number of suits fell from 55 to 42 only yet the costs decreased from Rs. 268 to Rs. 35: the costs other than stamps falling from Rs. 209 to Rs. 9, and the value of stamp papers filed from Rs. 59 to Rs. 26. The proportion which the value of stamps filed bears to the costs other than stamps appears not only to vary considerably in each Division, but to vary in each Division each year. The principle upon which these costs are calculated partakes of that mystery which apparently shrouds the true definition of a miscellaneous case.

23. The working of these Courts throughout the Province was on the whole satisfactory though there is still room for improvement. Over 22 per cent of cases decided appears to be a large proportion for appeals from the decisions of Officers who should have knowledge and intelligence, but in only two Divisions were the appeals as numerous as this viz., in Arakan and Tenasserim; the decisions here were upheld in over 70, and 62 per cent respectively but in Pegu when only 7 per cent of the decisions were appealed against, the decisions were reversed in 53 per cent. The duration of suits was not excessive, though a large number were by one means and another withdrawn from the cognizance of the Judges. The costs were, apparently, not excessive though from no information being given regarding the value of suits *decided*, although the costs on such cases are given, it is impossible to calculate any percentage which would have any pretence even to be a correct one.

4 COURTS OF THE 4TH GRADE

Original Jurisdiction.

24. There are, including that of the Superintendent of Hill Tribes, 13 Courts of this Grade, and the number of original cases which came before them is but small.

Arakan.

25. In Arakan there are 4 of these Courts. The number of suits in them for disposal, the whole of which were instituted during the year, was 4, all for moveable property, 2 of which were in the Court of the Superintendent of Hill Tribes and 2 in that of the Deputy Commissioner of Ramree, the whole of which were disposed of. One suit lasted 1 day, one 2 days, one from 9 to 15, and one from 16 to 24 days. The decision in none of these cases was appealed against, and the total costs amounted to Rs. 38 only.

Pegu.

26. In the Pegu Division there were only 2 original suits tried in the 5 Courts of this Grade, both of which had been instituted during the year and which constituted all for trial. One in Rangoon was decided in from 91 to 120 days, and one in Prome in from 61 to 90 days. No appeal was preferred in either of these suits. The returns regarding costs are by no means clear and without any explanation it is impossible to interpret them correctly. The returns shew that there were no costs of any kind in the Rangoon District and that although the value of stamp papers filed in Prome was Rs. 88 yet the total costs amounted to Rs. 65 only.

Tenasserim

27. In Tenasserim the only 2 suits on the files of the 4 Courts were decided during the year, 1 in 2 days and 1 in from 61 to 90. No appeal appears to have been preferred in either of these cases. The total costs amounted to Rs. 33, of which Rs. 234 or 70.69 per cent were for Stamps.

Appellate jurisdiction.

Arakan.

28. The number of appeals for trial in the Arakan Division by the Deputy Commissioners was 241 of which 16 were pending from the previous year against 250 in 1867 of which 15 had remained pending from 1866; of these 221 were disposed of, 14 by the rejection of the petition; 2 were compromised, 6 withdrawn or dismissed in default and 207 tried, 2 being de-

creed exparte, 78 for the appellant, and in 127 the decree was for the respondent the decision of the Lower Court being upheld. The average duration was about 20 days only. Out of these 13 were carried up to the Commissioner in 2nd appeal but no less than 7 of the petitions were rejected and in 4 the decision was upheld, and 1 being adjusted the Appellate decision of the Lower Court was reversed in 1 case only. This is satisfactory evidence of the manner in which the Deputy Commissioners of this Division performed their appellate work, as in 84.62 per cent the judgment was supported either by rejection of the petition or after hearing, and reversed in 7.69 per cent only. The value of the appeals was Rs. 23,803 against Rs. 33,224, this decrease followed naturally on the decrease in the value of the original suits in the lower Courts generally. The total costs, however, increased from Rs. 3,096 of which Rs. 2,933 were paid for stamps and Rs. 163 for costs other than stamps, to Rs. 3,701, of which Rs. 2,425 were for stamps, and Rs. 1275 for costs other than stamps, this cannot be considered as satisfactory but is unexplained.

Pegu.

29. In the Pegu Division 733 appeal cases were disposed of against 623 in 1867, leaving 127 pending at the close of the year against the same number in 1867. The number of petitions of appeal rejected out of these 733 was 19 or 2.57 per cent against 11 or 1.76 per cent last year. The number withdrawn decreased from 45 to 30, and the number compromised increased from 2 to 3. The number in which an exparte decree was given increased by 1, from 3 to 4. The number in which the decision of the Lower Court was reversed increased from 282 to 310, but inasmuch as the number in which the decrees of the lower Court was upheld increased in a greater proportion, viz: from 275 to 331, this is not so unfavourable to the lower Courts as might at first sight be supposed. The duration of the cases was hardly satisfactory; in the Myanoung District the average duration was no less than 5 months and 23 days, and at the end of the year one case had been pending for 8 months and 27 days. This is a slight improvement, certainly, on last year when the average duration was no less than 209 days, but it is none the less a matter which requires amendment. The Deputy Commissioner has proceeded to England on Medical certificate, and the Chief Commissioner has great hopes that matters will improve under his successor. The value of the appeal cases instituted increased from Rs. 8,054, to

Rs. 1,12,331. The costs in the appeal cases decided increased from Rs. 10,058 to Rs. 12,863, the value of Stamps filed having increased from Rs. 6,359 to Rs. 8,619, and the costs other than stamps having increased from Rs. 2,911 to Rs. 4,244. This comparatively large increase in the amount which suitors have to pay in addition to their stamp fees is a matter for regret.

30. In the Tenasserim Division there were 46 appeals pending at the commencement of the year, and 408 instituted during the year, so that there were 454 for disposal. Of these 436 were disposed of against 344 in 1867 out of 390 which were for disposal that year: the number, therefore, of such cases left pending was reduced from 46 to 18. Of these 31 were rejected against 24 last year, in 199 against 184 the decree of the Lower Court was confirmed but in 181 against 127 the decree of the Lower Court was reversed or modified, and 15 were otherwise settled against 9 in 1867: these figures do not speak well for the Lower Courts. In the Amherst District no less than 67 decrees were reversed or modified against 45 confirmed. The rapidity with which the appellate Courts in this Division worked was very good. The longest average duration in any District was one month and 22 days, in Shwè-gyeen it was only 8 days and in Amherst only 7. This great improvement in the latter, for last year the working of this Court was unfavorably noticed and was indeed bad, is entirely due to the energy and zeal of Lieut. Col. Horace Browne, who is now the Deputy Commissioner of Prome. There were 30 appeals from decisions given in these Courts of which 1 was rejected, and in 18 the decree of the Lower Court was supported: 6 cases being otherwise settled it follows that the decisions of these Courts were reversed or modified in 5 suits only. The costs were Rs. 4,924 of which Rs. 3,757 were for stamps, and Rs. 1,167 for other costs. In 1867 the returns shew that the total costs were Rs. 706 of which Rs. 674 were for stamps and Rs. 32 only for other costs. There would seem to be some error in this as it is almost impossible that the costs could be so small.

Tenasserim.

31. With the exception of that at Myanoung, these Courts have worked well, except perhaps that at Akyab where the average duration was 2 months and 5 days. But the Chief Commissioner would be glad to see greater endeavours made carefully to supervise the Lower Courts which, it must be confessed, are much in want of supervision.

5 COURTS OF THE 5TH GRADE.

32. These are purely appellate Courts and entertain appeals in original suits decided in the 4th grade Courts, that is, in Courts trying cases over Rs. 5000 in value, and second appeals or appeals from appellate decisions given in the 4th grade Courts when such appellate decisions reverse or modify those of the Courts of original jurisdiction.

Arakan.

33. Two appeals were pending at the commencement of the year in the Court of the Commissioner of Arakan, and 11 were instituted making 13 for disposal against 22 last year none of which had been pending from 1866: the whole of these 13 were disposed of, 7 of which were rejected, withdrawn, or dismissed in default, 1 in favour of Appellant and the remaining 4 were decided in favour of the respondent, so that in 84.62 per cent the finding of the lower Court was upheld: the duration of these appeal suits was 7 days only, and their total value was Rs. 665 only, this is a decided improvement on 1867 when the average duration was 11 days, and the total value Rs. 3306. The total costs fell from Rs. 304 to Rs. 185 due, possibly, to the smaller number instituted. The value of stamp papers fell from Rs. 280 to Rs. 81 or by Rs. 199 or 28.92 per cent, at the same time however, the costs other than stamps increased from Rs. 20 to Rs. 104. It may here be noticed that of the suits instituted 7 were connected with immoveable and 4 with moveable property.

Pegu.

34. In the Pegu division 3 appeals were pending from 1867 and 50 were instituted making 53 in all for disposal. Of these 45 only were disposed of and 9 remained pending. No reason is given for this increase in pending cases, and it appears strange that Colonel Ardagh could not dispose of more. No less than 32 of the appeals instituted were connected with land, and 4 were for damages for personal injuries or wrongs. Of these 45 cases 6 were never brought to trial at all the petition being rejected, 7 were remanded, and 2 withdrawn, so that in point of fact 30 only were disposed of by the Commissioner after trial, of which 20 were decided in favour of the respondent. The duration of these cases was no less than 1 month and 19 days, a falling off of 6 from last year. The costs increased from Rs. 788 to Rs. 1,410, the value of the stamps

filed increasing considerably, from Rs. 540 to Rs. 1,094, the costs other than stamps increasing from Rs. 248 to Rs. 355.

Tenasserim.

35. In the Tenasserim Division 2 appeals were pending and 28 instituted making 30 for disposal; the whole of which were disposed of, and 19 of them were connected with immoveable property. Of these 1 only was rejected and 6 withdrawn, leaving 23 for disposal by trial of which no less than 18 were decided in favour of respondent. The average duration was 25 days an improvement since 1867 when the average duration was 1 month and 8 days. The total amount of costs increased from Rs. 426 to Rs. 841 of which the largest increase was in the value of stamp papers filed, these increased from Rs. 339 to Rs. 531.

The Chief Commissioner would prefer to see greater rapidity in the disposal of suits in the Courts of this grade, especially in Pegu. In Arakan alone has the work been rapidly performed, indeed in Pegu there has been a decided falling off. Greater supervision also might well be exercised by these Courts over those which are subordinate to them. There is nothing recorded in the Reports to shew how many times Proceedings were called for from the lower Courts and examined; this checking of the lower Courts is one of the most important duties of the Commissioner of the division, and an order has been issued directing the Commissioners to call for and inspect at least 3 records of Proceedings once a quarter, or every month. This will, if the order is properly carried out, ensure a greater amount of supervision than appears to have been hitherto exercised. As regards the actual working of the Courts of this grade, there can be little doubt that the Court of the Commissioner of Arakan is the one which has, on the whole, worked most satisfactorily, and that the work in the Court of the 5th Grade in Pegu has not been carried on with that diligence which is so essential.

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6. THE COURT OF THE 6TH GRADE.

36. The Court of the 6th grade is presided over by the Chief Commissioner, and its jurisdiction is confined to Special Appeals from the appellate decisions of the Courts of the 4th Grade, even though such appellate decisions do not modify or reverse the original decree of the lower Court. This being the distinction between a second appeal which lies to the Com-

missioner of the Division and a special appeal which lies to the Chief Commissioner that a second appeal can only be had when the decision of the lower Court is reversed or modified by the decision of the lower appellate Court on a point material to the case whilst there is no such restriction as regards Special appeals. The number of special appeals preferred was 23 which with the 3 pending at the commencement of 1868 make 26 for disposal, but of these 10 or 27.27 per cent were rejected, and in the remaining 16 the appellate decision was upheld; in other words the decisions of the lower Appellate Courts were not interfered with once and 1 case remained pending: the average duration of cases in this Court was 1 month and 8 days.

The work of the Chief Court is not confined to hearing appeals but it has also to supervise the working of all the Courts in the Province and to settle doubtful points which may be referred to it: this is the severest portion of the work of this Court in which there were 77 miscellaneous cases decided during the year, the average duration of which was 1 month.

III.—GENERAL REMARKS.

Arbitration.

37. The extent to which arbitration is resorted to is always an important one, and it has been noticed by all the reporting officers. There is, as is natural, some diversity of opinion as to whether many cases are or are not kept out of Court by being brought before the elders, but the balance of the evidence is decidedly in favour of the opinion that in a large number of disputes the people prefer to have their differences settled in their own village by their own village elders to proceeding some distance to a Civil Court to file a plaint, and to remain there some days away from their own private concerns till the case is finished, and in many cases the dislike to a continuous absence, although it may be but for a few days, leads to compromises, to cases being struck off by default and to exparte decrees. These in the whole Province amounted to no less than 7034, that is, 1660 decreed exparte, 1979 compromised, and 3395 struck off in default or otherwise disposed of, and although it is certain that all these were not owing to the dislike to attendance for some days at Court yet there can be hardly any doubt that many of them were. There were 409 cases of arbitration with which the Courts had anything to do viz. 7 in

Arakan, 323 in Pegu, and 79 in Tenasserim, in 65 only of which, all in Pegu, were awards made by arbitrators and then brought into Court to be made into decrees. The great difficulty in sending a case to arbitration after the plaint has been filed is in getting the parties to agree in the choice of arbitrators, but the returns shew that the number of cases in which arbitrators are made use of is steadily increasing. Believing, as the Chief Commissioner does, that arbitration of which the Courts hear nothing is largely resorted to he would attribute the fact of no endeavour being made to strengthen the award by its being made a decree to two causes, one that the people have been accustomed for ages to have their differences settled by arbitrators (who receive a fee) and, consequently, they are content with such an award and hardly ever dream of disputing it, for them it is as binding as any Civil Court could make it; and secondly that the power which they have to come to Court with their award and by a simple process have it converted into a decree is not generally known. Few but those engaged about the Courts would under any circumstances be aware of the provision of the Civil Procedure Code in this respect, and, as the Deputy Commissioner of Amherst observes, but few of the Burmese Pleaders or Judges really know anything of any law except their own laws of inheritance, divorce &c. There is one other reason which probably prevents many cases coming into Court and that is that the English law is not understood nor appreciated by the people. They have not been long enough under our rule to lose their affection for their own system and they thus in many instances prefer having their cases decided in their own way by those whom they consider "learned in the law" that is in the law which they have always been accustomed to.

Execution of Decrees.

38. There were 4,039 applications for execution of decrees, of which 1,009 were in Arakan, 2,289 in Pegu, and 741 in Tenasserim, the number of suits disposed of in those Divisions having been, as already shewn, 3,044 in Arakan, 12,051 in Pegu and 3,243 in Tenasserim or 18,338 in all. In as much, however, as many of the applications may well have been for execution of decrees given during the previous year no sound calculation can be made on these two sets of figures. The statistics given are such as to render it impossible to say in how many cases the decree was fully or partially executed,

and in how many not at all, but it appears clear that at least 230 persons were placed in confinement in execution of decrees, though probably this is not the full number. In many cases this has the effect of causing the immediate adjustment of the claim by the debtor or by his relations and friends, as nothing is more painful to or so much disliked by a Burman as imprisonment in Gaol. Many are discharged after being in confinement for 3 or 4 days only, or just as long as it takes to come to an agreement with the creditor. The Gaol Returns shew that at the end of the year there were only 39 Civil Prisoners in confinement 23 of whom were at Rangoon and Maulmain and who were, therefore, most probably many of them Natives of India confined by the Recorders for debts in the two sea port towns where the majority of traders are Natives of India.

Registration of deeds.

39. The Registration Act has never been extended to this Province and deeds are registered under local rules. The number registered is not large even in the two towns of Maulmain and Rangoon where, under an order of the Governor General issued before the Indian Council Act, the registered owner of land is recognized by the Courts as the *bond-fide* owner. Nine wills were registered, but unfortunately the Commissioners have not stated whether they were wills of Buddhists, Mussulmans, Hindoos or Christians, most probably not of Buddhists for these do not as a general rule make formal wills though doubtless they do sometimes. The only places in which wills were registered were Rangoon 3, Maulmain 3, Bassein 1 and Prome 2; all of which are stations at where there are a comparatively large number of Europeans. Rather more than 833 deeds of permanent conveyance were registered, no less than 545 in Pegu 390 of which were in Rangoon; it is impossible to give the exact figures as the Deputy Commissioner of Prome has omitted any detail of the deeds registered. The number of deeds of temporary conveyance registered was 471, 445 being in the Pegu Division 407 of which in Rangoon alone. Except in the sea port towns of Akyab, Rangoon, Bassein, and Maulmain registration is but rarely resorted to as its value is not realized, the people believing that they can take as good care of the original as a Registrar, and, consequently, thinking that to pay a fee of Rs. 2 to register would be waste of money. There can be little doubt, how

ever, that registration properly carried out would be of the greatest advantage and that, consequently, every encouragement should be given to the people to register transfers of land and deeds of all kinds. In the 31st paragraph of his Report the Commissioner of Arakan remarks on the course adopted by the Deputy Commissioner of Ramree *viz:* to allow of no alteration in the land assessment Roll without his authority, and when any such change has to be made advising the people to register the deed of transfer. Steps will be taken to have this carried out throughout the Province, as far as possible.

Stamp Act.

40. Distinctly opposite opinions have been given by various officers regarding the effect of the Stamp Act, some urging that it has made no difference, others that it has checked vexatious litigation and vexatious litigation only, and others again saying that it has prevented many suits from coming into Court for the decisions in which resort would otherwise have been had to the Civil tribunals. Though, probably, these opinions are based on actual and daily observations yet as there is nothing in the Returns which would decisively shew the effect of the Act it is somewhat difficult to form a sound conclusion, that is a conclusion which could be supported by a reference to facts. All that can be said is that litigation among the rural population of the Province has decreased, whilst among the urban population has increased. The balance of probabilities appears to support the opinion that the Act has had little or no effect, and that the "tax on justice," if the levy of fees is to be called by a name which carries with it an idea of oppression and injustice, did no harm whilst it certainly enabled the Government to realize a larger Revenue.

Working of the Courts.

41. The working of the various Courts has, considering them as a whole, improved, yet the Courts of the lowest grade are, it must be confessed, sadly in need of still further improvement. The Judges are selected from amongst the most influential of the people, for an aristocracy as usually understood there is none, and like most Burmans they have little other education than that which they received as boys in some Budhist monastery and that which they have received by contact with the world. They have now, indeed, to pass examinations and though this makes them read up the Acts in which they are to be examined yet

they do not understand what they learn and have little or no power of applying it. The Chief Commissioner is far from wishing to see Extra Assistant Commissioners of the 2nd and 3rd Grades selected from youths who have received some smattering of education in a Government or a Missionary School to the exclusion of the old class of hereditary and highly influential men who were originally appointed, or rather retained, by the British Government for political reasons; any improvement, however, can only come from the spread of education, in the sense of a knowledge and practice of habits of regularity, order, and method, of self controul and of accuracy, a knowledge and practice which can only be arrived at slowly and after years of teaching, as European nations have been gradually taught, in a word by the spread of civilization in its broadest sense ; and by a closer and more rigid supervision by the Deputy Commissioners, a supervision which it is now almost physically impossible for them to exercise, and considering their multifarious duties, the enormous size of their districts—Amherst is nearly as large as the whole Province of Oudh, and, unlike it, is mountainous and covered in many parts with forests,—and the utter absence of any means of communication other than those provided by Rivers —for there are only 655½ miles of Road in the whole Province and no first or even second or third class Roads between any two Head Quarter Towns of Districts; considering all this, the manner in which the duties of the Judges of the Courts of the 4th Grade have been carried on reflects very great credit on the officers who have held those appointments. It would be almost invidious to select any one for special mention but if any has excelled they are Lieutenant Colonel Horace Browne and Captain Plant to whom, as to the rest, the thanks of the Chief Commissioner are due.

Judicial Commissioner.

42. It cannot be doubted that one of the great wants of British Burma is a Judical Commissioner: the duties performed by this officer in the two other Administrations —Oudh and the Central Provinces —are here performed by the Chief Commissioner, who in his executive capacity has as much to supervise and as many responsibilities as would suffice for one individual; in addition to which he cannot but think that to erect the chief Executive officer in a Province into Chief Judge is making him in many cases a Judge in his own cause having to determine

many points which intimately affect the Revenue and the well being of the Government for which he is responsible. The double duty, in most countries considered incompatible, of having to administer a country, and of being the sole presiding Judge in the ultimate Court of Civil appeal is one which entails so much responsibility, so much anxiety, and such an extreme amount of labour, that no where, except in British Burma, is it imposed upon any officer.

REPORT

OF THE

SESSIONS JUDGE OF ARAKAN.

For 1868.

From Lieutenant-Colonel J. F. J. STEVENSON, Commissioner of Arakan, to the Secretary to the Chief Commissioner of British Burma, Rangoon, No. 39 of 1869, dated Akyab, the 4th March 1869.

No. I. Statement of Suits instituted, disposed of, and pending.
" II. Do. Do. Classification of Appeals and Original Suits instituted.
" III Detail of Suits disposed of.
" IV. Supplementary Returns showing duration of Suits and costs.
A. Statement of average duration of Suits
B. Statement showing the result of Appeals and Second Appeals.
C. Statement showing the result of Appeals and Second Appeals from each Grade of Courts.
D. Statement showing the duration of Civil cases in each Grade of Courts.
E. Statement showing the proportion of Appeals from each Grade of Courts disposed of.
F. Detail Statement of Miscellaneous Cases instituted and disposed of.
District Reports in Original.

I have the honor to submit my Report on the Administration of Civil Justice in the Arakan Division for the year 1868 accompanied by the Statements and Reports noted in the margin.

SECTION II.

2. The following was the state of the Regular files on the 1st January 1868 and 1st January 1869.

		1868	1869
	Commissioner's Court	2	0
AKYAB	Deputy Commissioner's Court	16	10
	1st Assistant Commissioner's Court	0	0
	2nd do. do.	12	4
	1st Class Ex: Assistant Commissioner's Court Naaf	5	2
	1st Class do. do. Koladan	1	1
	2nd Class do. do. Akyab...	8	17
	3-3rd Class do. Commissioners' Court ...	10	13
	Total.....	52	47
RAMREE ...	Deputy Commissioner's Court	0	0
	1st Class Ex: Assistant Commissioner's Court Kyouk-Phyoo	0	0
	3-3rd Class do. do. do.	1	0
	Total.....	1	0
SANDOWAY	Deputy Commissioner's Court . . .	0	0
	2nd Class Ex: Assistant Commissioner's Court Sandoway	0	1
	2-3rd Class do. do. do.	0	0
	Total.....	0	1

NORTHERN ARAKAN...	Superintendent's Court	0	0
	Assistant Superintendent's Court	0	0
	Total.....	0	0
	Grand Total.....	55	48
	Increase	0	0
	Decrease	0	7

I. Showing a decrease of seven cases in the number pending, a satisfactory result since there was an increase of 149 Suits instituted.

II. There were no Suits or Appeals pending in the Court of the Commissioner at the close of the year.

III. In the Akyab District there was a decrease of 5 pending cases. There was an increase of 9 pending suits in the 2nd Class Extra Assistant Commissioner's (Tsitkay) Court of Akyab and the Deputy Commissioner fairly attributes this to the great increase in the number of suits instituted in that Court, being 182 per cent, or 1095 this year against 388 last year. In the Court of the Extra Assistant Commissioner of Rathaidoung there were 11 pending against none in the previous year, for which the Deputy Commissioner says "no good cause has been shown, especially considering that this Court had only 150 suits before it."

AKYAB DISTRICT.

RAMREE DISTRICT. IV. In this District there were none pending.

SANDOWAY DISTRICT V. And in this there was but one pending.

NORTHERN ARAKAN. There was no suit pending in the Superintendent's Court Hill Tracts.

3. The number of Suits and Appeals instituted during the past 2 years was as below shown :—

		1867	1868
	Commissioner's Court	22	11
Akyab ...	Deputy Commissioner's Court...	135	131
	1st Assistant Commissioner's Court	72	0
	2nd Do. Do.	308	144
	1st Class Extra Asst. Commr's. Court Naaf ...	217	175
	1st Do. Do. Koladan ...	102	39
	2nd Do. Do. Akyab . .	388	1095
	5-3rd Do. Do. . .	681	661
	TOTAL ..	1,903	2,245
Ramree ...	Deputy Commissioner's Court	55	52
	1st Class Extra Asst. Commr's Court Kyouk-Phyoo	203	164
	2-3rd Do. Do.	437	380
	TOTAL ...	695	596
Sandoway	Deputy Commissioner's Court	46	44
	2nd Class Extra Asst. Commr's Court Sandoway	167	204
	2-3rd Do. Do.	296	180
	TOTAL	509	428
Northern Arakan	Superintendent's Court	4	2
	Assistant Superintendent's Court	„	„
	TOTAL ...	4	2
	GRAND TOTAL...	3,133	3,282
	INCREASE	„	149
	DECREASE	„	„

I. The above shows an increase of 149 in the number of suits instituted in all the Courts of the Division.

II. In the Commissioner's Court there was a decrease of 11 or one half in the number of Second Appeals preferred during the year under review.

There were no Regular Appeals.

	1865.	1866.	1867.	1868.
Second Appeals	15	21	22	11
Regular Appeals ...	... 2	...	...	...
Total ...	17	21	22	11
	...	—	—	—

This decrease must be mainly owing to a ruling of the Chief Court, dated 20th June 1867, upon the finality of District Court decisions under Sec. XXVII of 1861 ; which was first acted upon last year.

III. In this District there was an increase of 346 Suits instituted but a decrease of 4 in the number of Appeals, making on the whole an increase of 342. This is mainly owing to the large increase of 707 suits in the Court of the 2nd Class Extra Assistant Commissioner of Akyab above adverted to. The Deputy Commissioner says "this is partly owing to there "being no 1st Class Extra Assistant Commissioner's Court "here as in 1867, where cases of small amount were tried and "the 2nd Class Assistant Commissioner's Court thus re-"lieved—but mainly to many more suits having been raised "in Akyab arising from the previous year in a Mercantile "sense having been an unsuccessful one." The Court of the Extra Assistant Commissioner 1st Class here referred to has during the past year been presided over by an Assistant Commissioner who tried only 144 cases while his predecessor an Extra Assistant tried 308. The difference devolved upon the Tsitkay (2nd Class Extra Assistant Commissioner) in whose Court there was a further large increase attributed to the previous bad commercial year. There was also an increase of 18 suits in the Court of the 3rd Class Extra Assistant Commissioner of Rathaidoung ; of 2 suits in that of Ooyettoung East and of 5 in Ooyettoung West. No cause is given nor is perhaps called for for,these small increases.

AKYAB DISTRICT

In the rest of the Courts there was a decrease in the number of suits instituted.

The decrease in the Deputy Commissioner's Court is trifling and calls for no remark. In the 1st Assistant Commissioner's Court Akyab, there were no Civil Suits instituted. This Officer has had full employment in Criminal and Miscellaneous duties. Having the powers of a Magistrate he has tried a large number of the Criminal cases of the District and committed nearly all the Sessions' cases.

Of the decrease of 164 cases (144 against 308) in the 2nd Assistant Commissioner's Court, the Deputy Commissioner says: "the cause is owing to the former Officer Mr. "C. D. C. Lloyd's hearing only suits, that originated in the

" Kyelet Township and cases in the Town in which Euro-
" peans were parties; whereas the latter (Mr. Perreau Extra
" Assistant Commissioner) took up a share of petty Town
" Suits.

In the Extra Assistant Commissioner's Court Naaf, there was a decrease of 42 suits. The Deputy Commissioner says, " this probably arises from the increase of the Stamp duties " discouraging petty litigation—as I notice that in the 1st " Quarter, there was a decrease as compared with that of " 1867 of 14 suits, in the 2nd 22, in the 3rd of 13, but in the " 4th an increase of 7—Moung Kalla has not yet given in " reason for the decrease." This is all the information I have upon the subject and it is apparent that this is not sufficiently clear or conclusive to account for the decrease in question.

In the Extra Assistant Commissioner's Court Koladan, there was a decrease of 63 suits in the number instituted: this the Deputy Commissioner says " is attributable to there " being no Court in the Township since the middle of April " 1868, the duties have been carried on at Akyab and Myo-
" houng but at much inconvenience to the inhabitants." As regards the inconvenience the Deputy Commissioner is aware that it was unavoidable. The late Mr. Hunt was for some months in charge of this Township but was allowed upon the Deputy Commissioner's suggestion in consequence of the inclemency of the season at that time and his indifferent health to hold his Court in Akyab pending further orders. He died suddenly and the Myooke of the nearest Court was placed in temporary charge until the arrival of an Officer appointed to the charge. We have been short of Officers since Mr. Hunt's death and have been obliged to do the best we could. Akyab is 72 miles from the Court House of this Township: Myo-Houng two days journey by boat.

In the 3rd Class Extra Assistant Commissioners' Court of Myohoung and Minbya there was a decrease of 45 suits for which no cause is shown. The Deputy Commissioner says. " All the Judges of the Courts were called on to give " explanations of the cause of the decrease and increase of " suits, but I regret that in the instances above noted they " have not supplied any." I regret this: the Chief Commissioner will doubtless concur with me that such decreases should have been accounted for.

RAMREE DISTRICT.

IV. In this District there was a decrease of 95 suits and 4 appeals during the year under review. The decrease in original suits is in the Courts of the Extra Assistant Commissioners of Cheduba and Kyouk Phyoo; in the former Court there was a decrease of 62 and in the latter a decrease of 39 suits, which the Deputy Commissioner says, "is considered to be "caused by the depression of trade in the District and con- "sequent smaller money transactions. "In Cheduba" says the Deputy Commissioner "the effects of the Cyclone of "November 1866 also were still felt in respect to the quantity of grain for export.

The next decrease is in the Deputy Commissioner's Court which is trifling and calls for no particular remarks.

With regard to the Courts of the Extra Assistant Commissioner of Aeng where there was no increase or decrease, and that of Ramree where there was an increase of 5 suits, the Deputy Commissioner says. "In the Court of the Extra "Assistant Commissioner 3rd Class 2nd Grade of Aeng, "there was no increase or decrease and this would seem to "indicate that the increased rate of stamp duty levied on "initiatory plaints did not affect the litigation in that Court, "but then the litigation is so insignificant that it affords no "good data from which the effect of those increased duties "could be judged whereas in the Court of the Extra Assis- "tant Commissioner 3rd Class 3rd Grade of Ramree the in- "crease of 5 suits would denote that the increased stamp "duties did not affect litigation there, consequently in this "District it is questionable whether those duties had any "thing to say to decrease in litigation, and the smallness of "the total litigation gives little scope to form any appreciа- "ble judgment thereon, but it will be remembered that the "new Stamp Act XXVI of 1867 was in full force throughout "the whole year of 1868, and only in force from March in "1867."

As I have already had occasion to remark it is not always possible to account satisfactorily for increases and decreases, especially where transactions are not numerous. There is nothing special that I know of in the circumstances of the Ramree District to cause either decrease or increase during the past year, save the operation of the revised stamp duties.

SANDOWAY DISTRICT.

V. In this District there was a decrease of 79 Suits and 2 Appeals. The great decrease was in the Court of the Extra Assistant Commissioner of Northern Division regarding which the Deputy Commissioner says. "The decrease is principally in the "Northern Extra Assistant Commissioner's Court and is "caused by the great stimulus given to litigation in that "Court the year before last by the extraordinary high price "of paddy, and small contractors for that article refusing to "fulfil their agreements. It will be remembered that in "that year the number of cases rose from 128 to 203." This I think must be accepted as a sufficient explanation.

NORTHERN ARAKAN.

VI. In the Court of the Superintendent of Northern Arakan or the tracts of our Hill Tribes where I am happy to say there is little or no Civil litigation, were 2 suits instituted against 4 in the previous year. The Superintendent says. "It will be ob- "served that there have been very few Civil Cases during the "year, the reason being that nearly all disputes of a Civil na- "ture are settled by the hill people amongst themselves." A state of things I am not disposed to interfere with.

There was an Assistant Superintendent appointed during the latter end of the year. No Civil suit has been instituted in his Court.

4th. The number of Suits and Appeals decided on trial and finally disposed of during the years 1867 and 1868 is given in the following Table.

		1867.		1868.	
		Decided on trial.	Finally disposed of.	Decided on trial.	Finally disposed of.
	Commissioner's Court	15	20	5	13
Akyab.	Deputy Commissioner's Court	123	131	126	137
	1st Asst. Commissioner's Court ...	55	75	...	...
	2nd do. do. ...	162	298	95	152
	1st Class Ex. Asst. Comr's. Ct. Naaf....	85	214	68	178
	1st Class do. do. Koladan...	51	101	24	39
	2nd Class do. do. Akyab ...	218	384	616	1,086
	5-3rd Class do. do.	360	681	287	658
	TOTAL.....	1,054	1,884	1,216	2,250
Ramree.	Deputy Commissioner's Court ...	48	55	40	52
	1st Class Ex. Asst. Commissioner's Court Kyouk Phyoo.	114	206	86	164
	3-3rd Class do, do. ...	179	436	190	381
	TOTAL.....	341	697	316	597
Sandoway.	Deputy Commissioner's Court... ...	45	50	41	45
	2nd Class Ex. Asst. Commr's. Court Sandoway...	133	168	149	202
	2-3rd Class do. do.	219	297	124	180
	TOTAL.....	397	515	314	427
Northern Arakan.	Superintendent's Court	1	4	2	2
	Asst. Superintendent'sCourt ...	...	...	...	...
	TOTAL... ..	1	4	2	2
	GRAND TOTAL.....	1,808	3,120	1,853	3,289
	Increase.....			45	169
	Decrease			...	...

I. The above shows an increase of 45 Cases decided on trial and of 169 finally disposed of during the year.

II. In this District there was an increase of 162 Cases in the number decided on trial and of 366 finally disposed of. This may be said to be entirely owing to the very large increase of suits in the Court of the 2nd Class Extra Assistant Commissioner in Akyab Town which has already been commented on. The two or three very trifling increases under these heads in other Courts do not call for notice.

AKYAB DISTRICT.

III. The Returns show a decrease of 25 Cases in the number decided on trial, and a decrease of 100 cases in the number finally disposed of, which the Deputy Commissioner refers "to decrease of Cases instituted owing to the supposed causes "already stated."

RAMREE DISTRICT.

In this District there was a decrease of 83 Cases in the number decided on trial and of 88 finally disposed of. It has already been shown that the decrease in litigation quite accounts for this. 1 Original case instituted in the Extra Assistant Commissioner's Court 2nd Class was tried in the Deputy Commissioner's Court, but no reason has been assigned for it.

SANDOWAY DISTRICT.

V. There were in all 2 cases decided on trial in the Court of the Superintendent who states. "The Cases shown in the "Returns for 1868 had to be settled in my Court as they "were disputes between persons belonging to different tribes."

NORTHERN ARAKAN

5. The state of the Files as regards Suits and Appeals pending above 1 year on the 1st January 1868 and 1st January 1869 is, I am happy to say, blank for both years.

6. The state of the Miscellaneous Files was as follows

		1868	1869.
	Commissioner's Court	0	0
AKYAB.	Deputy Commissioner's Court	2	5
	1st Assistant Commissioner's Court	0	0
	2nd do. do.	6	1
	1st Class Ex : Asstt : Commr's : Court Naaf ...	3	0
	do. do. Koladan	0	1
	2nd Class Ex : Asstt : Commr's Court Akyab	4	9
	5-3rd Class do. do.	0	8
	Total..	15	24

RAMREE.	Deputy Commissioner's Court	0	1
	1st Class Ex : Asstt : Commr's. Court Kyouk Phyoo	0	0
	3-3rd Class do. do. ...	0	0
	Total...	0	1
SANDOWAY.	Deputy Commissioner's Court	0	0
	2nd Class Ex : Asstt : Commr's : Court Sandoway	0	2
	2-3rd Class do. do. ...	0	0
	Total...	0	2
NORTHERN ARAKAN.	Superintendent's Court	0	0
	Assistant Superintendent's Court...	0	0
	Total...	0	0
	Grand Total...	15	27
	Increase...	0	12
	Decrease...	0	0

I. The above shows an increase in the number pending on the last mentioned date of 12 cases. On the 1st January 1869 there were but 27 Miscellaneous cases pending in all the Courts in the Division which is not unsatisfactory for all the officers concerned, when it is taken into consideration that there were 2,170 cases instituted, being an increase of 463 over 1867.

II. There were no cases pending in the Court of the Commissioner; there were none pending in the Court of the Superintendent of Hill Tribes, Northern Arakan.

III. In the Courts of the District of Akyab 24 cases were pending which is an increase of 9. The Deputy Commissioner says with regard to this as follows :—

"In the Deputy Commissioner's Court 2 are applications "for Certificates to administer to estates, and filed in Decem- "ber and 26th November—one an application to enforce a "mortgage, the time for foreclosure has not yet fallen in— "another regarding an Intestate Estate of a European, all of "its property has not yet been realized owing to difficulties "of carriage; and the last is to obtain property in charge "of a guardian instituted in December. 2nd Class Extra "Assistant Commissioner Akyab, an increase of 5—of the "9 pending four are for execution of decrees; of these 3

" were instituted in November, and 1 in December, the re-
" mainder are 5 applications for discharge from Civil duress—
" the earliest instituted 30th November last. 3rd Class Ex-
" tra Assistant Commissioner Rathaidoung—there is here an
" increase of 8, all applications for execution of de-
" crees. Of these 3 were instituted in December, but I con-
" sider that there should not have been so many as 8 pending."

IV. In the District of Ramree there was 1 case pending in the Court of the Deputy Commissioner of Ramree. The Deputy Commissioner says "being a case of Intestate " Estate and as the heirs, if any, to which resided in Sylhet " the notice for them to come forward had to be sent to that " District, and sufficient time allowed to admit of any heir " presenting himself before the Court."

V. There were 2 cases pending in the Sandoway District in the Court of the Extra Assistant Commissioner 2nd Class to none in the previous year. No cause is shown.

7. The following Statement shows the number of Miscellaneous cases instituted and disposed of in the year 1867 and 1868 as also the number of cases of above one year's standing at the close of these year's respectively :—

		1867				1868			
		Instituted.	Disposed of by an order on their merits.	Finally disposed of.	Pending above one year.	Instituted.	Disposed of by an order on their merits.	Finally disposed of.	Pending above one year.
	Commissioner's Court	2	1	2	...	1	...	1	...
AKYAB.....	Deputy Commissioner's Court.....	40	38	43	...	53	38	50	...
	1st Assistant Commissioner's Court	60	29	60	...	27	8	27	...
	2nd do. do. do.	157	154	154	...	83	77	88	...
	1st Class Extra Asst. Commissioner's Court Naaf	182	71	184	...	137	60	140	...
	1st Class do. do. do. do. Koladan...	42	26	42	...	18	7	17	...
	2nd Class do. do. do. do. Akyab	504	199	505	...	1184	493	1179	...
	5-3rd Class do. do. do.	145	121	146	...	177	133	169	...
	Total.....	1130	638	1134	...	1679	816	1670	...
RAMREE	Deputy Commissioner's Court	5	4	5	...	12	9	11	...
	1st Class Extra Asst. Commr's. Court Kyouk Phyoo...	171	137	171	...	91	81	91	...
	3-3rd Class do. do. do. ...	176	127	176	...	177	127	177	...
	Total ...	352	268	352	...	280	217	279	...

SANDOWAY....	Deputy Commissioner's Court	16	12	16	...	7	5	7	...
	2nd Class Extra Asst. Commissioner's Court Sandoway	133	135	135	...	176	170	174	...
	2-3rd Class do. do. do. ...	74	71	74	....	27	22	27	...
	Total.....	223	218	225	...	210	197	208	....
N. ARAKAN...	Superintendent's Court	...	...	...	...	...	...	...	..
	Assistant do do.	...	...	...	...	...	...	...	...
	Total.....	...	...	...	...	...	...	...	...
	Grand Total.....	1,707	1,125	1,713	...	2,170	1,230	2,158	....
					Increase.....	463	105	445	...
					Decrease.....	...	...	...	...

I. The above return shows an increase under all the heads. There was an increase of 463 in the number of cases instituted, of 105 disposed of by an order on their merits and of 445 finally disposed of. There were no cases pending above one year.

A careful comparison of the results of both years as given in the Table shows that the large increase of work in the Court of the Extra Assistant Commissioner (Tsitkay) of Akyab is sufficient to account for this large increase of Miscellaneous cases. Where there are decreases as in Ramree and Sandoway the decrease of litigation accounts for them.

II. It is the practice in the Commissioner's Court to enter as Miscellaneous suits (or cases), only such as fall within the scope of Section XXII of Act I, 1863, and appeals from orders not of the nature of Decrees. As remarked in last year's Report of this Division there appears to be a diversity of practice in the Divisional Courts of British Burma in this respect.

AKYAB DISTRICT.

III. In this district there was an increase in the number of cases instituted of 549, of 178 decided on trial, and of 536 finally disposed of, sufficiently accounted for above (Para. 7 Sec. 1.)

Regarding the decrease of Miscellaneous Cases in other Courts the Deputy Commissioner says. "In three Courts "only is there a decrease, in the 1st Assistant Commis- "sioner's Court explained by its having no Civil suits in "1868, the executions of decrees that Court carried out "were those transferred from other Courts. In the 2nd "Assistant Commissioner's Court the decrease is explained by "its having tried fewer original suits than in 1867.

"In the Naaf and Koladan Courts; from the last named cause."

RAMREE DISTRICT.

IV. In this District there was a decrease under all heads of 72, 51, and 73, explained by the Deputy Commissioner as follows:

"A decrease in original suits instituted; would natural- "ly cause a decrease in certain Miscellaneous cases, such as "execution of decrees." "Claims to sue as pauper;" and "as the past year has shown a decrease in the institution of "Original suits the above decrease of 72 Miscellaneous cases

" instituted is attributed thereto; in 1867 there were 172 " cases for execution of decrees against 129 cases in 1868, " a decrease of 43 out of the total, decrease 72; and in 1867, " 4 cases of claims to sue in *formâ pauperis* were instituted " against 1 case in 1868. This disposes of 46 out of the " decrease 72, and the remaining decrease of 26 cases is due " to circumstances which are not affected by the institution " of Original suits and call for no special remarks."

SANDOWAY DISTRICT.

V. In this District there was also a decrease under all heads of 13-21-17. The Deputy-Commissioner says:—"A decrease in " Miscellaneous suits and proceedings naturally follows from " the decrease in Regular cases."

NORTHERN ARAKAN.

VI. There was no Miscellaneous cases instituted or disposed of in this Court during the year under review.

8. The following statements show the Execution of decrees in the Division during the year under review.

	Akyab District.	Sandoway District.	Ramree District.	
Number of Application ...	697	183	Number of Application ...	129
Recovered in full ...	261	64	No. of decrees completely executed ...	83
Recovered in part ...	73	71		
Imprisoned	59	5	No. of decrees partially executed. ...	46
			Pending at end of year ...	0
			Total...	129
No Assets. Judgment debtor discharged. ...	11	0	Sales real property ...	9
			Sales personal property ...	14
Struck off-Judgment debtor not found. ...	110	1	Imprisoned ...	5
			Paid at once ...	55
Struck off through decree holder's fault or desire...	160	40	Warrant not executed ...	45
			Warrant withdrawn ...	1
Transferred to other Courts or Pending	10 / 13	2		
Total...	697	183	Total...	12

AKYAB DISTRICT.

I. In this District there were 697 applications for the execution of decrees of which in 261 applications the amount claimed was recovered in full; in 73 the amount claimed was recovered in part, and in 59 cases the decree was enforced by imprisonment. The Deputy Commissioner says "the proportion of applica-" tions to decrees passed is 64-18 per cent and varies much in " the different Courts, it is strange that out of 21 decrees " passed in the Koladan there should have been 18 applica-" tions. In other District Courts they are much fewer in " proportion to the decrees passed."

RAMREE DISTRICT.

II. The return of this District is in a different form and shows that there were 129 applications made for the execution of decrees, of these in 55 instances the amount claimed was paid at once and in 23 instances property personal and real had to be sold in satisfaction of the decree. The Deputy Commissioner says "it is satisfactory to notice that only in 9 " cases sales of real property took place in giving full effect " to the decrees of Courts; also that in 5 cases only, was " the decree enforced by imprisonment."

SANDOWAY DISTRICT.

III. In this District there were 183 applications made for the execution of decrees, of which in 64 cases the amount of decree was recovered in full, in 71 recovered in part and in 5 cases the decree was enforced by imprisonment. The Deputy Commissioner says, "Five persons only have been imprisoned for " debt during the year and no one remained in custody at " the close of the year."

9. Arbitration of Suits.

I. There were 7 cases of Arbitration only in the whole Division during the year under review viz.

Akyab District	...	...	...	6
Ramree do.	...	...	...	1
Sandoway do.	...	...	...	0

6 cases in the Akyab District were of private Arbitration brought into the Courts to be carried into effect, and the single case of Ramree was referred by the Court to Arbitrators.

II. On this point the Deputy Commissioner of Akyab comments as follows :—

AKYAB DISTRICT.

"To these sections of the Civil Code of Procedure re-
" course is but little had, the cause is probably, that where in
" a village conclave a decision as to a claim is arrived at, it is
" rarely necessary to call on the law to enforce performance for
" it is well known that many disputes regarding property are
" decided in village conclaves.

"In the 2nd Class Extra Assistant Commissioner's
" Court, Akyab, only two were brought into Court and carried
" into effect.

"In the Extra Assistant Commissioner's Court, Mroh-
" oung, there were 4. Of these, 3 were carried out and one
" struck off in default of costs.

"In none of the other Courts were any received."

I am one of those who would be glad to see a greater resort to arbitration but the insignificant resort to it in Arakan undoubtedly implies that litigants prefer our Courts. The inference is *primâ facie* favourable to the character of our Courts (as I cannot think that of two evils the people choose the least). My own experience of Arbitrators is that if not corrupt they are not generally unbiassed or unprejudiced.

III. The Deputy Commissioner says :—" There was
" only one case of arbitration which was
RAMREE DISTRICT. " referred by the Aeng Court to Arbi-
" trators at the request of the parties.
" Arbitration is not in great favour with the people of the
" District, they often agree to abide by the decision of certain
" elders but as these elders do not write out a regular decision
" the parties do not consider themselves bound by the verbal
" decision of these Loogyees, consequently the aggrieved party
" applies to the Courts, and frequently a case has been regu-
" larly discussed in presence of elders in the village before
" being taken to the Court. This may be caused by a wish
" of the parties to get the opinion of men they respect prior
" to entering on the expense of a Law-suit but as a general
" rule the litigants of the District prefer the well constituted
" British Court to the verbal decision of men, not very learn-
" ed rejoicing in the name of *learned Elder* more on account

" of their village notoriety than from education, knowledge of " law, &c." These remarks of the Deputy Commissioner are " generally borne out by my experience.

IV. The Deputy Commissioner of Sandoway says :—

SANDOWAY DISTRICT.

" No cases have been referred to Arbi- " tration from any of the Courts of this " District."

10. The following statement shows the appeals tried by the Commissioner.

Name and official Designation.	Second Appeal.		Regular Appeal.		Miscellaneous Appeal.	
	Decided on Trial.	Finally disposed of.	Decided on Trial.	Finally disposed of.	Decided on Trial.	Finally disposed of.
Lt. Colonel J. F. J. Stevenson, Commissioner.....	5	13	...	...	...	1

There were no Appeals pending at the close of the year.

11. The result of Regular Appeals and of Second Appeals disposed of by the Commissioner, and the number preferred from the decision of the Deputy Commissioners are given below :—

Name and Official Designation.	Regular Appeals.						Second Appeals.					
	For trial in 1868.	Confirmed.	Reversed or modified.	Rejected.	Struck off the file.	Remaining.	For trial in 1868.	Confirmed.	Reversed or modified.	Rejected.	Struck off the file.	Remaining.
AKYAB.												
Major E. J. Spilsbury, Deputy Commissioner.	...	...	...	...	...	...	6	2	1	3	...	...
J. Treacy, Esqr., Offg. Deputy Commissioner.	...	...	...	...	...	...	3	1	...	2	...	...
RAMREE												
W. DeCourcy Ireland, Esq., Offg. Deputy Commissioner	...	...	...	...	...	...	1	...	...	...	1	...
Captain W. C. Plant, Deputy Commissioner.	...	...	...	...	...	...	1	1	...	...	...	...
SANDOWAY.												
Captain W. W. Pemberton, Deputy Commissioner. ...	...	...	...	...	...	...	2	...	...	2	...	...
Total ...	„	„	„	„	„	„	13	4	1	7	1	„

I. From the above it will be observed that there were no Regular Appeals. Original Suits are very rarely tried by District Officers (Deputy Commissioners) from whom regular appeals lie, in British Burma.

II. There were 13 Second Appeals from orders passed by the Deputy Commissioners; of these in one instance only was the order of the Lower Appellate Courts reversed or modified; in 4 their orders were confirmed—in 7 rejected, and 1 was struck off the file.

The cause of rejection was principally that the Decrees appealed against were not appealable, either from the Decision of the Lower Appellate Court not being appealable under Section 27 Act XXIII of 1861, or from the two decisions of the Lower Courts concurring.

AKYAB DISTRICT.

III. There were 6 Second Appeals from the orders of Major Spilsbury, Deputy Commissioner of Akyab; 2 were confirmed, 1 was remanded for re-trial, and 3 were rejected.

There were 3 Second Appeals from the orders of Mr. Treacy, who officiated for Major Spilsbury from 2nd February to 1st April 1868.—1 was confirmed, and 2 were rejected.

RAMREE DISTRICT.

IV. There was 1 Appeal from the orders of Mr. Ireland Officiating Deputy Commissioner of Ramree, which was struck off the file for default.

There was 1 Second Appeal from the orders of Captain Plant, who succeeded Mr. Ireland on the 9th of January, and that was confirmed.

SANDOWAY DISTRICT.

V. There were 2 Second Appeals from the orders of Captain Pemberton, Deputy Commissioner of Sandoway. They were rejected.

The result of all these Second Appeals is favorable to all the Officers concerned.

12. The following officers were the Deputy Commissioners and Superintendent of Hill Tribes in charge of the Districts in the Division during the year.

AKYAB DISTRICT.

Major E. J. Spilsbury was Deputy Commissioner throughout the year, but on leave from 1st February to 31st March. He is a conscientious painstaking Officer.

Mr. J. Treacy, officiated for him from 2nd February to 31st March.

RAMREE DISTRICT.

Mr. W. De Courcy Ireland was Officiating Deputy Commissioner only from 1st to 8th January when he went on leave. He is always well reported of.

Captain W. C. Plant was Deputy Commissioner from 9th January to end of the year. He is an able and careful Judicial Officer.

SANDOWAY DISTRICT.

Captain W. W. Pemberton was the Deputy Commissioner throughout the year. He is steady and careful.

NORTHERN ARAKAN.

Mr. J. C. Davis was Superintendent of Hill Tribes Northern Arakan throughout, but absent on leave from 1st September to 16th October 1868, during which time Lieutenant Strover, the Magistrate of Akyab, officiated for him. Mr. Davis has little or nothing to do with the administration of Civil Justice. He is an able Officer in his departments.

13. The following statement shows the work done by each of the above named Officers of the Districts in the Division.

Names and Official Designation.	Appeals.				Original.			
	Regular.		*Miscellaneous.*		*Regular.*		*Miscellaneous.*	
	Decided on trial.	Finally disposed of.	Decided on trial.	Finally disposed of.	Decided on trial.	Finally disposed of.	Decided on trial.	Finally disposed of.
AKYAB DISTRICT.								
Major E. J. Spilsbury, Deputy Commissioner.	119	130	9	9	...	...	26	38
Mr. J. Treacy, Officiating Deputy Commissioner	7	7	1	1	...	...	2	2
RAMREE DISTRICT.								
Mr. W. DeCourcy Ireland, Officiating Deputy Commissioner.	...	...	...	...	...	...	...	...
Captain W. C. Plant, Deputy Commissioner	39	50	...	...	1	2	9	11
SANDOWAY DISTRICT.								
Captain W. W. Pemberton, Deputy Commissioner.	40	44	1	2	1	1	4	5
NORTHERN ARAKAN								
Mr J. C. Davis, Superintendent.	...	...	...	...	2	2	...	...
Total.	205	231	11	12	4	5	41	56

I. In all the cases, Appeals, Regular and Miscellaneous disposed of by Major Spilsbury during the year, only 5* Appeals were preferred against his orders to this Court, of which but 1 was remanded for re-trial, undoubtedly a very satisfactory result. He says: "It was not without much labor the "Appellate files were so reduced, for when the Deputy Com- "missioner returned from privilege leave on the 1st April,

*1 case preferred during the previous year and remained pending at its close is not shown here.

" there were 34 pending Civil Appeals—this large number " arose from the inability, through bad health of his *locum* " *tenens* Mr. Treacy, to give much attention to appeals dur- " ing the 2 months he officiated."

II. Mr. J. Treacy was Officiating Deputy Commissioner from 2nd February to 1st April 1868. 3 Appeals were preferred from his orders; 1 of which was confirmed and the others rejected.

III. Mr. Ireland was Officiating Deputy Commissioner of Ramree up to the 8th of January. 1 Appeal which was preferred during the previous year was struck off the file.

IV. Captain Plant was the Deputy Commissioner from 9th January to end of the year. Only 1 Appeal was preferred from his orders and that 1 was confirmed.

V. Captain Pemberton was the Deputy Commissioner throughout the year—2 Appeals were preferred to this Court, which were rejected.

VI. Mr. Davis was the Superintendent of Northern Arakan throughout the year. No Appeals were preferred to this Court from his decisions.

VII. I have to report that every opportunity is taken by this Court to point out all errors of procedure and irregularities of proceedings of the Lower Courts.

14. The following Officers were the Assistant Commissioners throughout the year. The number of suits decided on trial, the number of Appeals preferred from their decisions and the result of those disposed of during the year are shown below :—

Name and Official Designation.	1	2	3	4	5	6	7	8
	Appeals.							
	Decided on trial.	For trial during the year.	Number confirmed.	Number reversed.	Number modified.	Number rejected.	Otherwise settled or adjusted.	Pending.
Akyab District.								
Mr. J. Hind Assistant Commissioner 3rd Grade throughout the year.	0	0	0	0	0	0	0	0
Mr. C. D. C. Lloyd Assistant Commissioner 3rd Grade. From 1st January to 4th November and from 23rd November to end of the year	95	29	17	9	0	2	1	0
Total...	95	29	17	9	0	2	1	0

* 1 case pending at the close of the previous year from the orders of Lieutenant Poole is not shown here.

I. Mr. Hind was the Assistant Commissioner of Akyab throughout the year. No Civil suits were tried by this officer during the year under review.

The Deputy Commissioner reports that he has "carried on his duties during the whole year but has had no Civil suits to decide." He is a well known good Officer.

II. Mr. Lloyd was the 2nd Assistant Commissioner of Akyab throughout, but absent on privilege leave from 5th to 23rd November. Of 95 suits decided by him on trial 29 or about ⅓th were appealed: of them 17 were confirmed and 9 reversed.

The Deputy Commissioner reports "Mr. C. D. C. Lloyd "carried on his duties during the whole of the year save 19 days when he went on privilege leave: he is rather hasty in

"his decisions but has good abilities—and is zealous in the dis-"charge of his duties." From such opportunity as I have had of judging I may add that as remarked by the Deputy Commissioner this is a zealous and intelligent Officer anxious to discharge his duties satisfactorily.

15. The following Officers were the Extra Assistant Commissioners of the 1st class in the Division throughout the year. The number of Suits decided on trial, the number of Appeals preferred from their decisions, and the result of those disposed of during the year are shown below:—

Name and Official Designation.	1	2	3	4	5	6	7	8
	Decided on trial.	For trial during the year.	Number confirmed.	Number reversed.	Number modified.	Number rejected.	Otherwise settled or adjusted.	Pending.
AKYAB DISTRICT.		*				*		
Mr. T. W. Hunt, 1st Grade, Extra Assistant Commissioner Naaf. From 1st January to 29th April 1868.	15	4	4	.....	.....	.....	.....	...
Moung Kulla, 2nd Grade Do. Naaf. From 30th April to end of the year.	53	3	2	.....	.....	1	.....	...
Moung Kulla, 2nd Grade Extra Assistant Commissioner, Koladan. From 1st January to 14th April 1868.	13	9	3	6	.....	.....	.....	...
Mr. T. W. Hunt, 1st Grade Extra Assistant Commissioner Koladan. From 27th May to 5th August 1868.	9	3	3	.....	.....	.....	.....	...
Moung Pha Phroo, 3rd Class Extra Assistant Commissioner in charge Koladan. From 17th August to end of the year.	2	.....	.....	.....	.....	.....	.....	...
RAMREE DISTRICT.								
Moung Shwè Daikay, 2nd Grade Extra Assistant Commissioner Kyouk Phyoo. From 1st January to 26th May, and from 6th August to end of the year.	61	20	12	2	3	2	1	...
Moung Na Hto Shwè, offg. do. do. Kyouk Phyoo, from 26th May to 6th August 1868.	25	3	.....	.....	.....	2	1	...
Total ...	178	42	24	8	3	5	2	,,

* 1 appeal pending at the close of the previous year from Mr. Perreau's orders is not shown here.

I. Mr. Hunt was the Extra Assistant Commissioner of Naaf, from 1st January to 29th April, and of Koladan from 27th May to 5th August 1868 when he died.

Mr. Hunt as Extra Assistant Commissioner of Naaf and Koladan decided 24 Suits on trial. 7 Appeals were preferred from his orders: and all of them were confirmed. The result is very creditable.

The Deputy Commissioner says: "Mr. T. W. Hunt died "at Akyab on the 6th September; he was a hard working "Officer and a very conscientious Judge, his health has been "failing for some time before;" in which remarks I fully concur.

II. Moung Kulla was the Extra Assistant Commissioner of Koladan, from 1st January to 14th April, and of Naaf, from 30th April to end of the year. Of the 66 Suits decided by him on trial, 12 were appealed: of them 5 were confirmed and 6 reversed.

The Deputy Commissioner says: "Moung Kulla 1st "in the Civil Report of last year, the Deputy Commissioner "remarked that the working days of this old Government "servant were past, the report of this year is the same." There can be no doubt of this. I long since had the honor of recommending that he should be examined by the Civil Surgeon with a view to pension (my letter No. 180 dated 15th August 1868.)

III. Moung Pha Phyoo, Extra Assistant Commissioner of Myohoung Officiated in Koladan in addition to his own duties from 17th August to end of the year and decided 2 cases on trial. He will be reported on as an Extra Assistant Commissioner 3rd Class.

IV. Moung Shwè Daikay was the Extra Assistant Commissioner of Kyouk Phyoo from 1st January to 26th May, and from 6th August to end of the year. He was promoted to the 1st Class on the 11th December. He decided 61 suits on trial; 20 appeals were preferred from his decisions; of them 12 were confirmed 2 reversed and 3 modified. A good result.

The Deputy Commissioner says "Extra Assistant "Commissioner Moung Shwè Daikay is a good Judicial "Officer, careful, zealous and painstaking. He has lately "been most deservedly promoted to Extra Assistant Com- "missioner 1st Class 2nd Grade from 2nd Class 1st Grade." I concur with the Deputy Commissioner.

V. Moung Na Hto Shwè Officiated as Extra Assistant Commissioner 1st Class at Kyouk Phyoo from 26th May to 6th August.

He disposed of 25 suits on trial; 3 appealed, 2 rejected and 1 otherwise disposed of. He will be reported on as Extra Assistant Commissioner 3rd Class.

16. The following Officers were the Extra Assistant Commissioners of the 2nd Class or Tsitkays of the several Districts of this Division throughout the year. The number of suits decided on trial, the number of appeals preferred from their decisions, and the result of those disposed of during the year, are shown below.

Name and Official Designation.	1	2	3	4	5	6	7	8
		Appeals.						
	Decided on trial.	For trial during the year.	Number confirmed.	Number reversed.	Number modified	Number rejected.	Otherwise settled or adjusted.	Pending.
Akyab District.								
Moung Shwè Taw, 1st Grade, Extra Assistant Commissioner, Akyab throughout the year.....	616	39	23	9	0	1	2	4
Sandoway District								
Moung Thadoway, 2nd Grade, Extra Assistant Commissioner, Sandoway, from 1st to 13th January, and from 13th March to end of the year..	126	27	19	3	3	0	2	0
Moung Shwè Boo, 3rd Class Extra Assistant Commissioner, officiating do. do. from 16th January to 13th March 1868.....	23	3	1	1	1	0	0	0
Total	765	69	43	13	4	1	4	4

I. There were 2 Extra Assistant Commissioners 2nd Class in the Division at the close of the year, 1 in Akyab and the other at Sandoway. They disposed of 765 cases on trial, of them 69 or rather more than 1-11th were appealed, of them 43 or about $\frac{3}{4}$rd were confirmed, 17 or about $\frac{1}{4}$th were reversed or modified, a satisfactory result.

II. Moung Shwè Taw was Extra Assistant Commissioner 2nd Class 1st grade at Akyab throughout the year. He disposed of 616 cases on trial. There were 39 Appeals from his orders, of them 9 or ¼th were reversed or modified, a general result highly favorable to this Officer.

The Deputy Commissioner says: "Shwè Taw an intelli-"gent Officer and very well fitted for his Office, was the opi-"nion given in 1867: his conduct during 1868 has tended to "confirm it," remarks which I fully endorse.

III. Moung Thadoway was Extra Assistant Commissioner 2nd Class 2nd grade from 1st to 13th January and from 13th March to end of the year. He disposed of 126 cases on trial; of them 27 were appealed; of these only 6 or less than ¼th were reversed or modified, a very good result.

IV. Moung Shwè Boo Extra Assistant Commissioner 3rd Class of the Northern Division, Officiated as Tsitkay from 16th January to 13th March in addition to his own duties. He decided 23 cases on trial. Of the 3 Appeals preferred from his orders 2 were reversed or modified and 1 only confirmed. He will be reported on as a Myooke. The Deputy Commissioner of Sandoway says: "The Subordinate Judges "are named in the 2nd Para: of this Report: the writer hav-"ing taken charge of this District only on the 8th instant is "not in a position to report on their characters, but the late "Deputy Commissioner's opinion of them will be found in "his report of last year when they occupied the same positions "as at present."

Captain Pemberton spoke of Moung Thadoway in the following terms.

"The Tsitkay Moung Thadoway is a zealous intelligent "Officer, he has good knowledge of form and procedure;" which is a just commendation of this Officer.

17. The following were the Extra Assistant Commissioners 3rd Class throughout the year: the number of Appeals preferred from their decisions and the result of those disposed of are shown below:—

Name and Station.	1	2	3	4	5	6	7	8
	Decided on trial.	Appeals.						
		For trial during year.	Number confirmed.	Number reversed.	Number modified.	Number rejected.	Otherwise settled or adjusted.	Pending.
AKYAB DISTRICT.								
Moung Pha Phyoo, 1st Grade, Myohoung, throughout the year...	95	8	2	3	...	1	1	1
Moung Htoon Oo, 3rd Grade, Rathaidoung, throughout the year....	54	13	10	1	...	...	..	2
Moung Kulla, 5th Grade, Minbya, throughout the year. ...	66	13	4	7	...	...	...	2
Moung Hning, 5th Grade, Ooyettoung East, from 1st January to 19th October. ...	30	9	3	3	2	...	1	...
Moung Shwè Htoo, Officiating as 5th Grade, from 19th of October to end of the year. ...	2	...	...	...	...	...	...	...
Moung Bein, 5th Grade, Ooyettoung West throughout the year. ...	40	15	9	5	...	...	...	1
RAMREE DISTRICT.								
Moung Na Hto Shwè, 3rd Grade, Ramree, from 1st January to 23rd May, and from 9th August to end of the year. ...	63	11	5	2	...	3	1	...
Moung Htoon Aye, Officiating as 5th Grade, Ramree, from 23rd May to 9th August. ...	23	6	3	2	1	...	...	...
Moung Hla Htoon Oung, 2nd Grade, Aeng, throughout the year. ...	49	8	3	3	2	...	...	...
Moung Phoung Thaoo, 4th Grade, Cheduba, throughout the year. ...	55	2	...	1	...	...	1	...
SANDOWAY DISTRICT.								
Moung Shwè Boo, 1st Grade, Northern Division, throughout the year. ..	80	8	2	5	1	...	...	...
Moung Kya Oung, 5th Grade, Southern Division, throughout the year. ..	44	6	1	2	1	1	1	...
Total. ...	601	99	42	34	7	5	5	6

I. The above shows that there were 10 Extra Assistant Commissioners 3rd class employed in this Division throughout the year. They disposed of 601 cases on trial, of them 99 or 16 per cent were appealed, and of those appealed, 41 or 41 per cent were reversed or modified, and 6 remained pending at the close of the year.

The result is a fair average result for this Province and especially so I think for this Division where we have not many of the new school of educated young Myookes who have passed the prescribed examinations. We have in some instances what is perhaps better, respectable influential old Government Servants.

AKYAB DISTRICT.

II. Moung Pha Phyoo was Extra Assistant Commissioner 3rd Class 1st Grade Myohoung throughout the year. He disposed of 95 suits on their merits, 8 appeals were preferred from his orders, 3 of which were reversed, which is fair.

III. Moung Htoon-Oo was Extra Assistant Commissioner 3rd Class, 3rd Grade, throughout the year. He disposed of 54 suits on trial. There were 13 appeals preferred from his orders and in only 1 instance was his order reversed or modified; 2 remained pending at the close of the year, a very satisfactory result.

IV. Moung Kulla was Extra Assistant Commissioner 3rd Class 5th Grade of Minbya throughout the year. He disposed of 66 suits on their merits; there were 13 appeals preferred, 7 were reversed or modified and 2 remained pending; a result not very creditable.

V. Moung Hnin was Extra Assistant Commissioner 3rd Class 5th Grade of Ooyettoung East from 1st January to 18th October. He disposed of 30 suits on their merits, there were 9 appeals preferred, 5 were reversed or modified. The result is unsatisfactory. This Officer is under suspension and it has been recommended to remove him from the Government service.

VI. Moung Shwè Htoo acted as Extra Assistant Commissioner 3rd Class 5th Grade Ooyettoung East from 19th October, to end of the year. He decided 2 suits on their merits, which were not appealed.

VII. Moung Bein was Extra Assistant Commissioner 3rd Class 5th Grade throughout the year. He decided 40 suits on their merits—15 appeals were preferred from his orders, of them 5 were reversed and 1 remained pending. The result is fair.

VIII. Regarding the character of the above Officers the Deputy Commissioner says.

" Pha Phyoo is certainly indolent and does not give the " attention he should to his duties.

" Htoon-Oo shows a want of energy as a supervisor of " others—but is a steady and intelligent Officer.

" Moung Kulla 2nd is an energetic Officer, at times over " zealous—as a Judicial Officer he is indifferent.

" Moung Hnin, I cannot report favorably on this Officer; " he was suspended by order of the Chief Commissioner of " British Burma—18th October 1868.

" Shwè Htoo has officiated since 19th October 1868; " he has conducted his Judicial duties satisfactorily.

" Moung Bein has shown himself to be a very worthy " Government Servant, as Judicial Officer he has done well.

RAMREE DISTRICT.

IX. Moung Na Hto Shwè was Extra Assistant Commissioner, 3rd Class 3rd Grade, from 1st January to 23rd May and from 9th August to end of the year. He disposed of 63 suits on their merits. There were 11 appeals preferred against his orders, 2 only were reversed, a satisfactory result.

X. Moung Htoon Aye acted as Extra Assistant Commissioner 3rd Class 5th Grade, Ramree, from 23rd May to 9th August. He disposed of 23 suits on their merits. There were 6 appeals preferred and 3 reversed or modified.

XI. Moung Hla Htoon Oung was Extra Assistant Commissioner, 3rd Class 2nd Grade, Aeng, throughout the year. He disposed of 49 suits on their merits. There were 8 appeals preferred, 5 were reversed or modified, an unsatisfactory result.

XII. Moung Phoung Thaoo was Extra Assistant Commissioner, 3rd Class 4th Grade, Cheduba, throughout the year. He disposed of 55 suits on trial, of these only 2 were appealed and 1 reversed, a favorable result.

XIII. Regarding the above named Officers the Deputy Commissioner of Ramree says:

"Extra Assistant Commissioner 3rd Class 2nd Grade, "Moung Hla Htoon Oung improves on acquaintance and is "an intelligent Officer, a little hasty in coming to conclusions "and forgetful at times."

"Extra Assistant Commissioner Moung Na Hto Shwè "is a very superior man, quiet in manner, decided in charac- "ter, careful in his work, zealous, painstaking and intelligent, "well worthy of promotion. He is only Extra Assistant "Commissioner 3rd Class 3rd Grade and is posted in the "most important and largest town in the District and well "he has performed his task in looking after it.

"Extra Assistant Commissioner Moung Phoung Thaoo "is a good Judicial Officer tho' old and slow.

"Moung Htoon-Aye is Clerk of the Deputy Commis- "sioner's Court; the short time he sat on the bench shows he "promises well as a Judicial officer."

XIV. Moung Shwè Boo was Extra Assistant Commissioner 3rd Class 1st Grade Northern Division throughout the year. He disposed of 80 suits on their merits. There were 8 appeals preferred and 6 were reversed or modified, a bad result.

SANDOWAY DISTRICT.

XV. Moung Kya Oung was Extra Assistant Commissioner 3rd Class 5th Grade Southern Division throughout the year. He disposed of 44 suits on their merits. There were 6 appeals preferred and 3 were reversed or modified, a bad result.

XVI. Regarding the character of the above named officers Captain Pemberton thus stated in the Annual Report of 1867.

"Moung Shwè Boo the Northern Myooke is a good "Judicial Officer, worthy of advancement, he has also a good "knowledge of Procedure."

"The Tsitkay Moung Thadoway and Myooke Moung "Shwè Boo invariably framed issues in the cases tried by "them, the issues are generally correct and to the point and "their decisions clearly given."

"The Southern Myooke Moung Kya Oung is old; I "can hardly say that he is efficient but he does his best."

18. From the 4 last Statements it will be observed that in the Subordinate District Courts 1639 suits were disposed of on trial during the year; of them the orders were appealed in 239 cases, or about 14 per cent, and in 78 instances (or one third) were reversed or modified; a generally fair result.

19. The following statement shows the Original cases in which the parties were personally present before the Court.

	Official Designation.	In which Plaintiff was personally present before the Court.	In which Defendant was personally present before the Court.	In which both parties were present before the Court.	In which neither party was present in person.
Akyab.	Deputy Commissioner	..	...	...	...
	Assistant Commissioner...	...	...	...	...
	1st class Extra Asst. Commr.'s Court ..	105	3	261	...
	2nd do. do. do. ...	193	4	889	...
	3rd do. do. do.	201	101	356	...
	Total.....	499	108	1,506	...
Ramree.	Deputy Commissioner	1	...	1	...
	1st class Extra Asst. Commr.'s Court ...	34	35	95	...
	3rd do. do, do.	68	87	226	...
	Total.....	103	122	322	...
Sandoway.	Deputy Commissioner...	...	...	1	...
	2nd class Extra Asst. Commr.'s Court...	37	5	145	15
	3rd do. do. do.	44	9	123	4
	Total.. ...	81	14	269	19
N. Arakan.	Supt. of Hill Tribes Northern Arakan	...	...	2	...
	Assistant do. do. do.	...	...	...	...
	Total	...	.	2	...
	Grand total.....	683	244	2,099	19

The above calls for no particular remark.

STATEMENT. I. 20. Detail of Statement No. I.

	Appeals.	Original suits.	Miscellaneous cases.	Total
Pending	18	37	15	70
Instituted	236	3,046	2,170	5,452
Total ...	254	3,083	2,185	5,522
Disposed of	244	3,045	2,158	5,447
Pending	10	38	27	75

From the above it will be observed that of 254 Appeals all but 10 were disposed of during the year. That of 3083 Original Suits all but 38 were disposed of, and that of 2185 Miscellaneous cases, there remained but 27 pending at the close of the year.

In the last column it is shown that of 5522 Appeals, suits and cases pending for trial during the year, there remained but 75 undisposed of on the 1st January, which is 5 more than were pending on the 1st January 1868, but the increase is trifling, and calls for no particular remark. There was on the whole an increase of 614 in the number of Appeals, suits, and cases disposed of during the year compared with 1867.

STATEMENT II. 21. An Abstract of Statement No. II for the year under review compared with that of the previous year is given below.

	Appeals.		Suits.	
	1867	1868	1867	1868
I *Suits connected with immoveable property*				
1 Houses	2	1	7	17
2 Land...	55	48	193	126
3 Mortgages	...	3	11	15
4 Fisheries	...	2	1	2
5 Inheritance	5	10	26	23
6 Other cases	...	...	50	46
Total	62	64	288	229
II *Suits not connected with immoveable property*				
1 Debt ... ...; ...	30	48	1,083	1,584
2 Damages for breach of contract or loss or injury to property ...	10	7	139	219
3 Damages for personal injuries and wrongs	9	9	32	71
4 Marriage or Divorce	22	17	213	144
5 Inheritance	7	4	66	19
6 Other cases	117	87	1,055	780
Total	195	172	2,588	2,817
Grand Total	257	236	2,876	3,046

From the above it will be observed that 293 of the Appeals and Suits were connected with immoveable property, and that 2989 were not so connected. Of the latter 144 were connected with Marriage or Divorce which is 69 less than in 1867.

STATEMENT III. 22. Detail Statement No. III.

	Rejected.	Decided on Trial.		Decreed Exparte.	Compromised.	Withdrawn or otherwise disposed of.	Transferred.	Total.
		In favor of Plaintiff or Appellant.	In favor of Defendant or Respondent.					
Appeals.	21	79	131	2	2	7	2	244
Original Suits ...	71	1201	442	409	399	523	...	3045
Miscellaneous Cases.	104	1000	230	271	185	352	16	2158
Total ...	196	2280	803	682	586	882	18	5447

The above shews that of 244 Appeals, 79 only or about one third were disposed of in favor of Appellants, a result not unfavorable to the Officers whose orders were appealed against.

STATEMENT IV. 23. An Abstract of Statement No. IV.

	1867.						1868.					
	Appeals.		Original Suits		Miscellaneous Cases.		Appeals.		Original Suits.		Miscellaneous Cases.	
	Months.	Days.	Months.	Days.	Months.	Days.	Months.	Days.	Months.	Days.	Months.	Days.
Commissioner's Court. ...	...	11	...	...	...	1	...	7	...	...	...	2
Average of the Akyab District	1	28	...	12	...	10	2	5	...	9	..	11
„ Ramree District. ...	...	4	...	18	...	12	...	7	..	11	...	12
„ Sandoway District. ...	...	17	...	13	...	12	...	9	...	9	...	9
„ Northern Arakan. ...	...	...	2	3	...	...	...	...	...	2	...	...
Average of the Division.	...	18	...	26	...	7	...	17	...	7	...	6

It will be observed that in the Commissioner's Court the average duration of Appeals was 7 days; in the preceding year it was 11 days. In Miscellaneous cases the average duration was 2 days against 1 day in the previous year.

AKYAB DISTRICT.

II. In the Deputy Commissioner's Court the average duration of Appeals was 2 months and 5 days against 1 month and 28 days in 1867; in Original cases the average duration of suits in this District was 9 days being 3 days less than in 1867—and in Miscellaneous cases it was 11 days against 10 days in the previous year.

The work in this District always heavy, has been exceptionally so during the year as has been already shewn; owing to some extent to the Deputy Commissioner's absence on 2 months' leave: and further to a great increase of work due to damages in the District done by the Cyclone.

III. In the Deputy Commissioner's Court the average duration of Appeals was 7 days against 4 days in 1867. The average duration of original suits in this District was 11 days being 7 days less than in the previous year, and in Miscellaneous cases it was 12 days which is the same as the previous year.

RAMREE DISTRICT.

IV. The average duration of Appeals in the Deputy Commissioner's Court was 9 days, being 8 days less than in the year 1867. In Original suits it was 9 days which is also 4 days less than in the previous year, and in Miscellaneous cases it was 9 days which is an improvement of 3 days over that of the previous year.

SANDOWAY DISTRICT.

V. In Original suits the duration was but 2 days only. There were no Miscellaneous cases in this Court of Northern Arakan.

NORTHERN ARAKAN.

VI. The average duration of Appeals in the Division was 17 days which is an improvement of 1 day over that of 1867. In original suits it was 7 days which is an improvement of 19 days, and in Miscellaneous cases it was 6 days being 1 day less.

VII. The total amount of value of Appeals, Original suits, and Miscellaneous cases was as follows:—

	1867			1868		
Of Appeals	36,530	1	1	24,468	8	2
Original Suits ...	199,916	14	3	2,12,418	14	8
Miscellaneous Cases...	1,38,746	4	5	2,08,506	7	0
Total	375,193	3	9	4,45,393	13	10

The value of Stamps amounted to:—

	1867			1868		
For Appeals	3,213	1	0	2,506	14	0
Original Suits	17,860	1	0	23,268	1	0
Miscellaneous Cases ...	1,130	6	0	1,768	13	0
Total Rupees	22,203	8	0	27,543	12	0

From the above it will be seen that the cost of Stamps amounted to about 10 per cent on the value of Appeals against 8 per cent during the previous year.

In Original suits the cost of stamps was nearly 11 per cent against 8 in 1867.

In Miscellaneous cases the cost of stamps was 8 per cent which is the same as in the previous year.

On the aggregate value of Appeals, Original Suits and Miscellaneous Cases the cost of Stamps amounted to 6 per cent against 5 in the previous year.

The costs of every description of suits disposed of including Stamps, Pleaders Fees &c. &c. were :—

	1867	1868
For Appeals.	4,400- 5- 4	3,886-15- 8
Original Suits.....	29,688-10- 0	35,127-15- 8
Miscellaneous Cases.....	3,821- 9-10	3,865- 2- 3
TOTAL Rs...	37,910- 9- 2	42,880- 1- 7

In the Divisional Return submitted for the year 1867 the costs of every description for Appeals disposed of were erroneously shown to be Rs. 3,400-5-4 instead of 4,400-5-4 as here correctly shown. Instead of returning Rs. 3,026-0-10 as costs of every description the Deputy Commissioner of Akyab has shown Rs. 2,026-0-10 and it was to this that the mistake was owing. Vide para 45 of the Deputy Commissioner's Report. The Deputy Commissioner on being called upon to explain this error says—"the error must have been a clerical error which I regret was overlooked at the time."

From the above it will be observed that there was an increase in the costs of every description of suits disposed of under all the heads but Appeals. This is attributable to the increase in the number of Original Suits and Miscellaneous Cases and a decrease in the number of Appeals disposed of during the year under review, when compared with the previous year.

STATEMENT A.

24. This Statement shows the average duration of Appeals, Suits and Miscellaneous Cases in the Courts of the Division and calls for no particular remarks.

STATEMENTS B. & C.

25. These Statements show the result of Appeals and 2nd Appeals, from all Courts of the Division and also call for no remarks.

26. This Statement shows the duration of all Civil Suits in each grade of Court in each District in the Division.

STATEMENT D.

27. Shows the proportion in which Appeals from each Grade of Court were decided, or otherwise dealt with.

STATEMENT E.

STATEMENT F. 28. Shows Miscellaneous Cases under Section 22 of Act I of 1863 and other Acts.

29. The Register Books and Records of the Court of the Deputy Commissioner Akyab were inspected by me in the month of May and those of the Deputy Commissioners' of Ramree and Sandoway in December last.

I. With regard to the Registers and Records of the Commissioner's Court much damage has been done by the Cyclone of November on account of the building having been unroofed and much damaged; some of the Registers have not yet been found and the records are still in considerable but unavoidable confusion.

II. The Deputy Commissioner of Akyab says: "The "Registers are all properly kept, and "those of the Deputy Commissioner's "Court monthly examined. The Subordinate Courts have "also examined their's as directed by the Deputy Commis- "sioner. When the Deputy Commissioner visited the Dis- "trict Courts, he found the Records Registers &c, generally "kept in a satisfactory state. The report in detail on the "examination of Registers and records will be submitted as "directed after 31st March next."

AKYAB DISTRICT.

"The Civil Registers are filed and arranged up to 1867."

III. The Deputy Commissioner of Ramree says:

RAMREE DISTRICT.

"The Registers of the different Courts are all kept up "to date; those of the Lower Courts have been inspected by "the Deputy Commissioner during the year; and have been "neatly, clearly and carefully written, and are a credit to the "different writers of those Courts; when any mistakes or "misunderstanding were detected or found to exist they "were pointed out or explained."

" The Registers of the Courts were inspected by the Deputy Commissioner as follows.

" Cheduba	Extra Assistant	Commissioner's	Court	in March 1868.
" Ramree	do.	...	do.	March and October
" Aeng	do.	...	do.	November.
" Kyouk Phyoo	do.	...	do.	Monthly.

" The Registers of the Deputy Commissioner's Court " were inspected by the Commissioner in March and Decem- " ber 1868.

" The Records have been arranged. Those selected for " destruction have been burned after careful inspection by the " Deputy Commissioner and in his presence.

" The record room is a masonry building and kept as " neatly and orderly as well could be.

" The Commissioner was pleased to express his satisfac- " tion on the occasion of his inspection on the 21st Decem- " ber 1868."

IV. The Deputy Commissioner of Sandoway says :—

" The Registers of the Court of the Extra Assistant " Commissioner 2nd Class are kept up and in good order; the " writer has not personally examined the others."

" The Records are filed up to 1868."

30. The library books of the several Courts of the Division are in fair order and the Catalogue of all library books kept up.

31. Registering of Deeds.

I. With regard to the books for registering deeds the Deputy Commissioner of Akyab says :

AKYAB DISTRICT.

" Deeds were registered here by Assis- " tant Commissioner Mr. Hind. The " books have been examined and found correctly kept, but as " the Registration of deeds is not compulsory it is but a com- " paratively small number that are registered. During 1868 " there were deeds registered in all as follows :—

" Permanent Conveyance	83
" Temporary do.	10
" Bonds and other documents	80
" Wills	0
" The fees amounted to	Rupees 346

"The Registers of Deeds of Naaf have been kept here (in "Akyab), since Mr. Hunt left that Station—there were no "entries in 1868."

II. The Deputy Commissioner of Ramree says:—"13 "Deeds were registered this year, all "being permanent conveyance of land. "The increase in the number registered "this year is owing to instructions being given to the differ- "ent Thoogyees to make no changes in the names of owners "of land entered in their land assessment register without "getting orders from the Deputy Commissioner to do so. "This occasioned (any) purchasers of land to apply to have "their name entered as owner in the said Register, and when "said application was made they were advised to register the "deed of sale and as the registry fee was small this advice "was acted upon:—Years ago the late Major T. P. Sparks "took great pains to have only the real owner of the land "entered in the Thoogyee's land assessment register which "being done he ordered no change to be made without the "permission of the Deputy Commissioner in those names; "this excellent provision had fallen into disuse and accidently "coming to know of it Captain Plant directed the old order "to be again attended to, supplementing the same with the "advice to register the deed of sale, this it is hoped will act "as the thin end of the wedge and show the people the great "use and protective importance of registering deeds of con- "veyance."

RAMREE DISTRICT.

III. The Deputy Commissioner of Sandoway says: "There have been no deeds registered dur- "ing the year, the only papers registered "are two Powers of Attorney. I have examined the Regis- "ter of Deeds (one Book has hitherto been kept for all, as "the entries are so few in number) and found it in good "order."

SANDOWAY DISTRICT.

The practice above described in the Ramree District is a good one if it can be carried out without annoyance to the people. It is to be noted that it is not pretended that entries in the Land Assessment Rolls are thus constituted irrefragable evidence. They are regarded in the Courts only as *primâ facie* good but not conclusive evidence.

IV. The Commissioner has examined these Registers, and one or two trifling irregularities found in those of the Ramree and Sandoway Districts were pointed out. It is unnecessary to detail here the remarks made.

32. Pleaders of the Courts.

I. The Deputy Commissioner of Akyab reports, that there are 44 Pleaders at the different Courts, all 3rd Class Pleaders with one exception.

II. The Deputy Commissioner of Ramree reports that there are 12 in his District.

III. The Deputy Commissioner of Sandoway says:

"Pleaders practising in the Courts are five in number all "3rd Class."

The whole number is not very large. It might be well to limit the number of Pleaders, but if men will qualify themselves for Certificates by passing the prescribed periodical examinations it might be unjust to refuse them Certificates.

33. There were no suits reported to have been preferred during the year in which Government was a party.

34. The *Gazettes* belonging to the several Courts of the Division have been reported to be properly filed.

35. The securities given by Nazirs have been revised and reported on as good and sufficient.

36. With regard to the working of the Stamp Act the Deputy Commissioner of Sandoway says: "The new Stamp "Act works well except that owing to the very large range "in the denominations of Stamps required for plaints under "its operation there is a difficulty in at all times keeping up "the supply at the remote Stations, and it has been found "necessary sometimes to use two Stamps to make up the "exact value. A portion of the decrease in the number and "value of suits instituted this year may be due to the en-"hanced value of Stamps on plaints which only operated on a "portion of last year, but I do not think it has affected liti-"gation much. The Annual Returns submitted herewith "contain all further information requisite and there is noth-"ing in their contents to call for particular comment."

37. The Deputy Commissioners of Akyab and Ramree have not reported upon the Act specially.

38. I have no reason for supposing that the rates of Stamp charges are so high as to be unjustly prohibitive.

The Act appears to work well and I have heard no complaint against it. Its financial results are fair.

———:o:———

REPORT

OF THE

SESSIONS JUDGE OF PEGU

For 1868.

From Lieutenant Col. R. D. ARDAGH, Commissioner of Pegu, to the Secretary to the Chief Commissioner British Burma, Home Department, dated Rangoon, 20th April 1869.

I have the honor to submit the Local Annual Report on the Administration of Civil Justice, during the year $\frac{1868}{1229\text{-}30}$ in the several Courts in the Pegu Division of British Burma with Statements.

The several District Reports came up as below noted, :—

District.	Date of Report.	Date of Receipt.	Remarks.
Rangoon ...	8th April 1869.	8th April 1869.	
Bassein ...	23rd Jany. „	28th Jany. „	
Myanoung ...		9th March „	
Prome ...	16th Feby „	3rd „ „	
Toungoo ...	11th „ „	28th Feby „	
Cantonment Small Cause ...	15th „ „	16th „ „	

CIVIL JUSTICE.

1. GENERAL AND INTRODUCTORY.

The Judicial Machinery.

1. The machinery for the Administration of Civil Justice remained the same as in the previous year.

The Town and Cantonment of Rangoon were presided over by the Recorder. In the latter was maintained a Small Cause Court, under the Cantonment Magistrate who is Ex: Officio Judge of the same.

The remainder of this Division was worked according to Act I of 1863, the Chief Commissioner taking up Special Appeals from the District Courts, where the Decree of the Deputy Commissioner confirmed that of the Court of Original instance and the Commissioner of the Division taking up as Provincial Judge, cases in which the Lower Courts decision had been interfered with on first appeal.

The Judges 4th, 5th and 6th Classes.

2. The Judges of the Provincial and District Courts were:—

I. Of the Provincial Court of Appeal.	The Commissioner of Pegu, Lieut-Col. Ardagh.
II. Of the District Courts viz:—	The Deputy Commissioners
RANGOON.	Captain M. Lloyd.
BASSEIN.	H W. Beddy Esqr.
MYANOUNG.	Major Hildebrand.
PROME.	Captain Watson from 1st to 13th January. Captain Street from 13th January to end of year.
TOUNGHOO.	Major McMahon.

The Courts of the 1st, 2nd and 3rd Classes.

3. Courts of the 3rd Class were presided over by the following Assistant Commissioners and Extra Assistant Commissioners 1st Class.

Assistant Commissioners.

Major W. Munro—Thayetmyo, Prome District.
Captain C. O. L. Prendergast—Yandoon, Rangoon District.
Mr. D. F, Lonsdale—Rangoon, Head Quarters.
Mr. C. Phillips—Prome Town.
Mr. St. John—Yayghin Mengyee, Myanoung District.
Lieutenant H. A. Gower—Myanoung Town.
Mr. C. Duke—Toungoo Town.
Captain M. Furlong—Poungday, Prome District.
Lieutenant Evanson—Rangoon, at Head Quarters, Supernumerary Assistant Commissioner.
Lieutenant Poole—Bassein Town.
Lieutenant Thorpe—Toungoo Town, Supernumerary Asst. Commissioner.
Ensign Butler—Prome Town, Supernumerary Assistant Commissioner.

Extra Assistant Commissioners.

Mr Forrest—Nga Theing Gbyong, Bassein District.
Moung Oon—Pegu, Rangoon District.
Na Gau—Donabyoo Myanoung District

Moung Kyau Doon—Henzadah, Myanoung District.
„ Shwè Bya—Bassein, Supernumerary Extra Assistant Commissioner, promoted 11th December.
„ Moung Shwè Bo—Pantanaw, Bassein District (since dead.)

Besides the above there were 2nd Class Courts as below:—
Rangoon—none.
Bassein
Laymyethna } Moung Kan Baw
Myanoung Town—Moung Shwè Yeen.
Prome Town—Moung Kyaw Tsan Hla.
Prome, Mengdoon—Moung Tsouk.
Toungoo Town—Moung Htine.
and 37 Courts of the 1st Class.

4. The Court of Small Causes in Rangoon Cantonment was presided over by Captain W. G. Hughes Assistant Commissioner.

Rangoon Cantonment Small Cause Court.

5. The above were those in Office at the end of the year except where otherwise shown.

6. From Statement No. 1 will be seen the amount of work that has been got through by the above Officers during the year.

Work done.

The total is given thus:—

	Pending.				Instituted.				Disposed of.				Pending.				Amount of value of property litigated in Original Suits.
	Appeals and 2nd Appeals.	Original Suits.	Miscellaneous.	Total.	Appeals and 2nd Appeals.	Original Suits.	Miscellaneous.	Total.	Appeals and 2nd Appeals.	Original Suits.	Miscellaneous Suits.	Total.	Appeals and 2nd Appeals.	Original Suits.	Miscellaneous Suits.	Total.	
1867	54	148	22	224	742	12,422	2,419	15,583	666	12,354	2,416	15,436	130	206	25	361	8,55,306
1868	130	206	25	361	783	11,942	3,005	15,730	778	12,051	2,970	15,799	135	97	60	292	8,90,720
Increase	...	...	...	...	41	...	586	147	112	...	554	363	5	...	35	...	35,414
Decrease	...	...	...	...	...	480	...	...	...	303	...	...	...	109	...	69	...

Remarks.

7. The total of Appeals in all the Appellate Courts and 2nd Appeals instituted during the year are more than those of 1867, and exactly correspond in number with those of 1866.

The Original suits are less by 480 than those of the previous year, but the total number of proceedings of kinds worked off exceeded those of 1867 by 363.

The state of the pending file is rather more satisfactory than shown in the Annual Return. There were only 292 undecided on the 31st December. This number of pending cases divided among the Courts gives an average of say $4\frac{1}{3}$ cases to each Court.

II.—Provincial Court of Appeals.

The Appeals and 2nd Appeals.

Appeals and 2nd Appeals Commissioner's Court.

8. Of these there were no Regular Appeals; all were 2nd Appeals.

The number instituted and decided was.

Year.	Pending.	Instituted.	Total.	Disposed of.	Pending.	Value of Suits disposed of.	Value of Stamps in do.	Total costs in do.
1867	10	36	46	43	3	7,231	840	788
1868	3	50	53	45	8	9,594	1,094	1,409
Increase.	0	14	7	2	5	2,363	254	621

Each case on an average took 49 days to decide, being 5 days more than the previous year.

33 of the 50 appealed cases were Suits connected with immoveable property.

9. The proportion of confirmed to reversed cases was as below.

Results of Appeals.

1867			1868	
No.	Per Cent		No.	Per Cent.
17	39.53	1. Rejected and decided in favor of Respondent.	27	60.00
20	46.51	2. Decided Exparte and in favor of Appellant.	9	20.00
6	13.96	3. Otherwise disposed of	9	20.00
43	100.00		45	100.00

The result is favorable to the Decrees of the District Courts.

10. It will be observed that there were more cases pending at the end of the year than in 1867.

Preliminary hearings, Remarks on.

This with the average length of time taken to decide an Appeal case arises from the necessity of perusing the judgment of the Court below—the Petition of Appeal and the whole or any part of the Record of the Original suit, *in the presence of the Appellant*, or of his constituted Agent.

Now petitions of Appeal from the Districts (excepting Rangoon) are often, (I may say as a general rule,) sent up through the post, and the Appellant waits until he receives a notice to attend. He then comes up under Section 15 of Act I of 1863 to be *present* at the preliminary hearing of his case.

If in the course of this preliminary hearing the Court considers that the Appellant has made out *a primâ facie* case the Respondent has to be sent for.

All this takes up much time, and from 6 weeks to two months, as an average in disposing of a Case in Appeal is the result.

If on the contrary Civil Appeals were allowed to be disposed of in the same way as Criminal Appeals, without re-

quiring the presence of the Appellant, the time would be much reduced. This is a matter that deserves consideration. I shall be well pleased to know if my view of the Law is overstrained.

Suits how effected by amended Schedule to Stamp Act.

11. In respect to the valuation of Suits and the Stamp Costs thereon and how these have been affected by the operation of the amended Schedule B, the Stamp fees appear to have given about 2 per cent more than the previous year, but then the Act was in force during some 9 months of that year.

The values of the Suits also it is observed are very low, appeals being chiefly from decrees about scraps of landed property, which are not barred by the 18th Section of Act I of 1863 or its corresponding Section in the Indian Civil Code.

The re-distribution of the rates of duty has not consequently as far as the Commissioner's Court is concerned damped the ardour of litigants in any way.

Civil Miscellaneous.

12. The number of Civil Miscellaneous cases taken up in 1868, was only 40 to 89 of the previous year. The falling off is owing to the Miscellaneous file being more restricted than before—and to subjects which formerly were made Miscellaneous proceedings of, being now taken up on the correspondence side.

There was only 1 case pending at the close of the year.

III District Courts.

District Courts.

13, The work in the Deputy Commissioners' Courts consists of

1. Appeals
2. Original Suits.
3. Miscellaneous Cases.

APPEALS.

Appeals in Suits.

14. Appeals were preferred in the District Courts in 733 cases out of 11,813 Original Suits decided by the Lower Courts as below :—

DISTRICT.	Original Suits excluding Deputy Commissioners and Cantonment Magistrate.	Appeals.	Per Centage of Appeals.
Rangoon	1,986	91	4.74
Bassein	2,754	121	4.42
Myanoung	2,766	139	5.01
Prome	3,040	244	8.08
Toungoo	1,267	138	10.90
Total..	11,813	733	6.20

The Appeals in the Rangoon, Bassein and Myanoung Districts were below the average, and in the two frontier Districts above it.

15. The time taken to decide these cases averaged as below :—

1867. Days.		1868. Days.	Improvement.	Falling off.
40	Rangoon	27	13	
86	Bassein	71	15	
209	Myanoung	173	36	
42	Prome	39	3	
11	Toungoo	13		2

The duration in Toungoo notwithstanding a trifling falling off is satisfactory. In Rangoon and Prome there has been a sensible improvement ; the time is reasonable, although not remarkably short. Bassein and Myanoung, (the latter especially,) are still very much behind hand, although there has been evidently an endeavour to get over the cases more rapidly.

16. Mr. Beddy's explanation is given in his report; it deserves acceptance.

Bassein and Myanoung explanation.

For the Deputy Commissioner Myanoung the excuse of overwork is again offered; and this to a certain extent is correct.

Major Hildebrand had been tasked beyond his powers, and very shortly after the year, fairly broke down, and had to leave for England to recruit his health.

Mr. Beddy also I may remark has evidently found the strain of work too much and shows signs of fatigue.

Not to mention Captain Street who has left after doing a very good year's work.

17. All the above are good officers each, according to his lights, and in weighing the work performed by them, it should be with a full sense of the body and head labor each has had to struggle through, the amount of straw likewise each has had to make his bricks with, in all the various Departments they have had immediate control of.

Effect of overwork.

There is not one of the Deputy Commissioners I have worked with during the year, that I do not think worthy of special commendation; even Major McMahon of Toungoo, whose District though not yielding more Revenue than a moderately sized subdivision and with a corresponding amount of business, in fact not more than sufficient to keep his hands full without distress, is yet of some size, and requiring supervision by an intelligent officer.

18. From the Appeals decided by the Deputy Commissioners, there were 50-2nd Appeals as above noted besides an arrear file of 3—8 of these were pending at the end of the year. Of the remaining, 45 belonged to the following Districts and were thus disposed of.

Disposal of 2nd Appeals.

District.	No. of District Court Appeals.	2nd Appeals decided during the year.	Confirmed.	Reversed.	Otherwise disposed of.	Per centage of Confirmed cases in total 2nd Appeal cases decided.
Rangoon ...	91	12	6	4	2	50.00
Bassein ...	121	3	3	...	...	100.00
Myanoung ...	139	5	3	...	2	60.00
Prome ...	244	22	14	5	3	63.63
Toungoo ...	138	3	1	...	2	33.33
Total ...	733	45	27	9	9	60.00

The proportion of cases confirmed to those rejected was, it will be seen as $\frac{3}{4}$ to $\frac{1}{4}$.

Proportion of 2nd Appeal Cases to Appeals in District Courts.

19. The proportion of cases decided in 2nd Appeal in the Commissioner's Court to the number of cases instituted in the District Courts was

In Rangoon	13.18	per cent
Bassein	2.47	„
Myanoung	3.59	„
Prome	9.01	„
Toungoo	2.17	„

For the Division 6.14 per cent.

Original Suits.

Regular file.

20. Of Regular cases tried by the Deputy Commissioner there have been only two, one in the Court of the Deputy Commissioner Rangoon and the other in that of the Deputy Commissioner Prome.

The duration of these was 100 days in the former and 82 in the latter.

The Cantonment Small Cause Court disposed of 236 of the Cases.

Disposed of in what Courts.

21. The remaining 11,813 were disposed of in

Class III	The	Assistant	Commissioners'	Courts	501
	„	Extra	do	do	687
II	„	Extra Asst.	Commrs'.	2nd Class	2,579
I	„	do	do	3rd do	8,046

The value litigated was 8,90,720 Rupees in amount against 8,55,306, the year previous.

Costs.

The gross amount of Costs in all the cases being

Stamps.		*Total.*
Rupees 73,079	In 1867	Rupees 1,13,625
" 96,463	In 1868	1,42,093
Rupees 23,384	Increase	Rupees 28,468

Costs therefore average 15 per cent, of which upwards of 10¾ per cent is for Stamp paper.

ARBITRATION.

ARBITRATION

23. 323 Cases are reported by the Deputy Commissioners as having been referred to Arbitration during the year 1868, as below :—

Rangoon	19 Cases.	15 of Private awards sought to be made decrees of Court.
Bassein	194 „	50 do. do.
Myanoung	17 „	None.
Prome	86 „	
Toungoo	7 „	

Remarks on by District Officers.

24. Regarding the inclination of Burmese for Arbitration, I find the Deputy Commissioner of Rangoon is of a different opinion from the other Deputy Commissioners.

Captain Lloyd says that he does not think that so long as the Burmese can get speedy orders regarding their cases, they care much about arbitration; that they would rather see their cases disposed of by our own regular Courts, and that it is only when delay takes place that the suitors consent to private arbitration.

The Deputy Commissioner of Bassein on the contrary notes that there are hundreds and hundreds of cases, which never come before the Courts, but are settled by private arbitration.

The parties agree to abide by the finding of a couple of Elders. It is done on the spot. The losing party pays down whatever the claim is against him and there is nothing more about it.

The Prome Deputy Commissioner states, what I believe to be a fact, that there are few, either private individuals, or pleaders who understand the procedure in cases of suit to enforce award by private arbitration. His remarks on the partiality for arbitration in cases of Marriage, Divorce, or even debt are quite correct.

Major McMahon believes that there are many cases referred to Arbitration that the Courts know nothing of.

Commissioner's observations.

25. There is no doubt that besides the cases that come into Court for decision by the regularly constituted Judges, there is a large (a very large I may say) amount of adjustment of disputes especially in land and in divorce cases by the aid of privately constituted arbitrators. Probably this may be owing in some measure as noticed in the District reports to the desire to avoid the expense of Stamp paper, although the decisions are by no means given "gratis" for the Arbitrators generally contrive to get for themselves a sum of money large or small as the case may be.

Execution of Decrees.

Execution of Decrees.

26. The following table gives the number of cases in which suit was brought in the Miscellaneous file, for Execution of Decrees passed by the Courts.

District.	Execution sought for.	Executed.		Total.
		Property sold under decree.	Persons incarcerated.	
Rangoon Cantmt.	67	1	0	1
Rangoon ...	402	168	17	285
Basscin ...	423	228	10	238
Myanoung ...	433	312	40	352
Prome ...	526	264	57	321
Toungoo ...	438	110	21	131

The difference between the cases in which execution was sought for and in which such was enforced is made up of

1. Cases in which the claim has been satisfied before the warrant has been executed.
2. Cases in which the such has been evaded.
3. Pending Cases.

Miscellaneous Suits.

Miscellaneous Suits.

27. The Miscellaneous Suits were, excluding those of the Commissioner's Court.

In 1867.		In 1868.
18	Pending	24
2,330	Instituted	2,965
2,348	Total	2,989
2,324	Disposed of	2,930
24	Pending	59

In the Returns the value of Miscellaneous, and amount of cases appealed is given; but the real test of the amount of value of property *under litigation* is what is to be found on the files of *Original* Suits.

Appeals and Miscellaneous Cases as a general rule shew portions of the same when the Courts are applied to more than once; though of course there are many exceptions to

this, such as in cases of succession to Estates; applications to administer and the like which come before the Courts without any Regular Suit being filed. With this remark the total value of the Miscellaneous file is Rs. 5, 31,996.

It is endeavoured as much as possible to confine the Miscellaneous file within proper limits, and to admit on it only such cases as have a right to a place on it.

SUITS TO WHICH GOVERNMENT WAS A PARTY.

Suits in which Government was a party.

28. The Deputy Commissioner Bassein notices *one*—"Government in the D. P. W. Plaintiff."

PLEADERS.

Pleaders.

29. The Pleaders of the Courts the Chief Commissioner is aware are divided into 3 classes.

Those who chiefly plead in the interior and before the Assistant and Extra Assistant Commissioners are those of the 3rd Class, Burmese.

They are subject to an examination before admission which should be a test of their qualification for the Certificate, but in many cases I fear that their study of the Law is but sufficient to scrape them through the examination, and that they do not afterwards keep up any small knowledge they may have acquired, so as to benefit their clients as well as themselves.

REGISTRATION OF DEEDS.

District.	Permanent Conveyance.	Temporary Conveyance.	General.	Wills.	Total.
Rangoon	390	407	52	3	852
Bassein	23	27	11	1	62
Myanoung	12	6	53	0	71
Prome	Details	not given.		2	171
Toungoo	20	5	13	0	38

Registration of Deeds.

30. The Registrar of deeds at Rangoon is Mr. D. F. Lonsdale, Assistant Commissioner.

Registration Offices have been maintained in Bassein, at Bassein and Pantanaw. In Myanoung at Myanoung and Mengyee. In the last named there has been no Deed registered though it was opened.

At Prome Registers are kept in Prome and Thayetmyo. In Toungoo at the Head Quarters of the Deputy Commissioner.

Examination of Books and Records.

Examination of Books.

31. Those of the Deputy Commissioners were examined by the Commissioner of the Division except Toungoo.

Such remarks as were necessary to make were made for guidance, but generally the books were properly kept up.

The Examination of the Registers of the Subordinate grades of Courts was as will be found in the Deputy Commissioners' reports.

Supplementary Reports have been called for from the Deputy Commissioners of Rangoon and Toungoo.

Concluding Remarks.

Notices a defect in the Procedure Code having been pointed out.

32. Section I of Act 1, 1863 (vide the first part of Section 6 of Act VIII of 1859) was amended by Act XXIV of 1863, Sections I and II.

It has been pointed out that the law as it thus stands is an inconvenience and clogs the working of the Courts. It will have to be amended.

Notice of Officers.

Officers commended.

33. All the Deputy Commissioners are entitled to my acknowledgments for the manner in which they have performed their Civil duties, as also is Major Munro the Assistant Commissioner at Thayetmyo, the senior of those working in the Division.

Lieut. Gower Assistant Commissioner of Myanoung had the drawing up of the Civil Report of his District as in charge of current duties. He is also noticed very favorably, as is also Moung Kyau Doon Extra Assistant Commissioner 1st Class at Henzadah.

FINIS.

Finis.

34. The favorable receipt by the Chief Commissioner of this report and of those submitted by the Deputy Commissioners and Cantonment Small Cause Court Judge is desired.

REPORT

OF THE

SESSIONS JUDGE OF TENASSERIM

For 1868.

—oo—

SECTION II.

THE following Statements are submitted with this Report:—

1.—Statement of Suits of every description instituted, disposed of, and pending.

2.—Classification of Appeals and Original Suits instituted.

3.—Detail of disposal of Suits.

4.—Supplementary Return showing duration of cases, value of Suits, Stamps and Costs.

A.—Statement of average duration of Suits.

B.—Statement showing the result of Appeals and Second Appeals.

C.—Statement shewing the result of Appeals from each grade of Courts.

D.—Statement shewing the duration of Civil Cases.

E.—Statement shewing the proportion of Appeals decided or otherwise disposed of.

F.—Detailed Statement of Miscellaneous Cases instituted, disposed of, and pending.

2. The following table shews the state of the pending Cases on the Regular files on the 1st January 1868, and 1st January 1869:—

Districts		Designation.	Pending on 1st January 1868. Appeals.	Original Suits.	Total.	Pending on 1st January 1869. Appeals.	Original Suits.	Total.
		Commissioner's Court	2	.....	2	.....	.....	.....
Amherst	1	Deputy Commissioner's Court	28	.....	28	3	.....	3
	3	Assistant Commissioners' Court...	.....	8	8	.....	3	3
	1	Extra Asst. Commissioner's Court 1st Class	.....	.....	.....	.....	.....	.....
	11	Do. „ 3rd Class	.....	56	56	.....	76	76
		Total.....	28	64	92	3	79	82
Tavoy	1	Deputy Commissioner's Court	6	.....	6	15	.....	15
	1	Extra Asst. Commissioner's Court 2nd Class	.....	4	4	.....	26	26
	3	Do. „ 3rd Class.....	.....	.....	.....	.....	2	2
		Total.....	6	4	10	15	28	43
Mergui	1	Deputy Commissioner's Court.....	.....	.....	.....	.....	.....	.....
	1	Extra Assistant Commissioner's 2nd Class	.....	.....	.....	.....	.....	.....
	3	Do. „ 3rd Class	.....	.....	.....	.....	.....	.....
		Total.....	.....	.....	.....	.....	.....	.....
Shwé-Gyeen	1	Deputy Commissioner's Court	12	.....	12	10	.....	10
	2	Assistant Commissioner's Court	.....	4	4	.....	2	2
	1	Extra Assistant Commissioner's Court.....	.....	.....	.....	.....	.....	.....
	5	Do. „ 3rd Class	.....	11	11	.....	2	2
		Total.....	12	15	27	10	4	14
		Abstract.						
Tenasserim Division	1	Commissioner's Court	2	.....	2	.....	.....	.....
	4	Deputy Commissioners' Courts	46	.....	46	28	.....	28
	5	Assistant Commissioners' Courts	.....	12	12	.....	5	5
	4	Ex. Asst. Commissioners' 1st and 2nd Classes	.....	4	4	.....	26	26
	22	Do. „ 3rd Class	.....	67	67	.....	80	80
		Grand Total.....	48	83	131	28	111	139
		Increase.....	.....	.....	.....	.....	28	8
		Decrease.....	.....	.....	.....	20	.....	.....

shewing on the whole an increase of 28 Original suits and a decrease of 20 Appeals pending on the 1st January 1869.

3. In the Court of the Commissioner Tenasserim Division there were no Appeals pending at the close of the year.

Amherst District.

4. In the Courts of Amherst District there was a decrease of 25 Appeals pending in the Deputy Commissioner's Court, and an increase of 15 in Original suits in the Assistants and Extra Assistant Commissioners' Courts. The increase in Original suits does not appear excessive with regard to the number of suits instituted during the year under review.

Tavoy District.

5. In the Tavoy District there was on the whole an increase of 33 cases viz., 9 Appeals and 24 Original suits in the number pending. The increase of 9 Appeals in the Deputy Commissioner's Court is owing to a larger number of cases having been instituted in the last month of the year viz., 14 cases, whereas in December 1867 only 5 cases were instituted. The increase of 24 Original suits pending before the 2nd and 3rd Class Extra Assistant Commissioners, is attributed to some of the oldest cases being improperly kept pending for evidence.

Mergui District.

6. In the Mergui District no Original suits or Appeals were pending at the close of either year.

Shwe-Gyeen District.

7. In the Shwè-Gyeen District there was a decrease of 13 pending cases at the close of the year viz., 2 in Appeals, and 11 in Original suits.

8. The number of Original suits and Appeals instituted during the past two years is given below.

Districts	Designation.	Cases instituted in 1867.			Cases instituted in 1868.		
		Appeals.	Original Suits.	Total.	Appeals.	Original Suits.	Total.
	Commissioner's Court.	20	...	20	28	...	28
Amherst	1. Dy. Commissioner's Court.	97	2	99	114	1	115
	3. Asst. Commrs' Courts.	...	32	32	...	17	17
	1. Ex. Asst. Comr. 1st Class.	...	...	...	...	6	6
	11. Do. 3rd Class.	...	865	865	...	964	964
	Total ...	97	899	996	114	988	1102
Tavoy	1. Dy. Commissioner's Court.	114	...	114	132	...	132
	1. Ex. Asst. Comr. 2nd Class.	...	236	236	...	295	295
	3. Do. 3rd Class.	...	290	290	...	309	309
	Total ...	114	526	640	132	604	736
Mergui	1. Dy. Commissioner's Court.	80	1	81	56	...	56
	1. Ex. Asst. Comr. 2nd Class.	...	539	539	...	530	530
	3. Do. 3rd Class.	...	149	149	...	167	167
	Total ...	80	689	769	56	697	753
Shwè Gyeen	1. Dy. Commissioner's Court.	86	2	88	106	1	107
	2. Asst. Commrs' Courts.	...	50	50	...	18	18
	1. Ex. Asst. Comr. 2nd Class.	...	330	330	...	305	305
	5. Do. 3rd Class.	...	522	522	...	658	658
	Total ...	86	904	990	106	982	1088
	Abstract.						
Tenasserim Division.	1. Commissioner's Court. ...	20	...	20	28	...	28
	4 Dy. Commrs' Courts. ...	377	5	382	408	2	410
	5. Asst. Commrs' Courts. ...	...	82	82	...	35	35
	4. Ex. Asst do. 1st & 2nd Class	...	1105	1105	...	1136	1136
	22. Extra Do. 3rd Class	...	1826	1826	...	2098	2098
	Grand Total ...	397	3018	3415	436	3271	3707
	Increase ...	.....	.....	.....	39	253	292

shewing an increase for the Division of 39 Appeals and 253 Original suits or a total increase of 292 cases in the year of report.

9. In the Commissioner's Court there was an increase of 8 cases in the number of Second Appeals preferred from the orders of Lower Appellate Courts during the year under review. There were no Regular Appeals instituted during the year from the Court of any of the Deputy Commissioners of this Division.

Amherst District.

10. In the Amherst District there was an increase of 17 Appeals instituted in the Court of the Deputy Commissioner, and an increase of 89 Original suits in the District Courts as compared with the previous year. The large increase in Original suits is owing to there having been no Extra Assistant Commissioner's Court in Thatone Township during the greater part of 1867, the name of the Offg. Extra Assistant Commissioner not having appeared in the Gazette.

Tavoy District.

11. In the Tavoy District the return gives an increase of 96 cases instituted during the year under review, of which 18 were Appeals before the Deputy Commissioner and 78 Original suits before the Extra Assistant Commissioners 2nd and 3rd classes. The increase in Original suits is chiefly in the Court of the Extra Assistant Commissioner 2nd class of Tavoy Town.

Mergui District.

12. In the Mergui District there is an increase of 8 Original suits and a decrease of 24 cases in Appeal as compared with the previous year.

Shwe-Gyeen District.

13. In the Shwè-Gyeen District the return shews an increase of 20 Appeals, and 78 Original suits. With reference thereto the Deputy Commissioner states as follows: "The large increase "in the number of Appeals is attributable to the fact that at "the commencement of the year it was found necessary by "the new Judge to reverse a few decisions of the Lower "Courts—this doubtless gave slight encouragement to the "losers of suits in the Lower Courts."

14. The number of Appeals and Original suits decided on trial and finally disposed of in the years 1867 and 1868 is as follows :—

Districts	Designation.	1867.				1868.			
		Appeals.		Original suits.		Appeals.		Original suits.	
		Decided on trial.	Finally disposed of.	Decided on trial.	Finally disposed of.	Decided on trial.	Finally disposed of.	Decided on trial.	Finally disposed of.
	Commissioner's Court, ...	18	22	.....	.....	23	30	.....	.....
Amherst	1 Deputy Commr's. Court, ...	57	76	2	2	112	139	1	1
	3 Asst. Commissioners' Court,	.....	.....	21	26	.....	.....	18	22
	1 Ex. Asst. Commr. 1st Class,	.....	.....	.....	.....	.....	.....	2	6
	11 Ditto 3rd Class,	.....	.....	636	878	.....	.....	674	944
	Total, ...	57	76	659	906	112	139	695	973
Tavoy	1 Deputy Commr's. Court, ...	108	109	1	1	117	123	.....	.....
	1 Ex. Asst. Commr. 2nd Class,	.....	.....	203	247	.....	.....	209	273
	3 Ditto 3rd Class,	.....	.....	261	290	.....	.....	271	307
	Total, ...	108	109	465	538	117	123	480	580
Mergui	1 Deputy Commr's. Court, ...	77	80	.....	1	56	56	.....	.....
	1 Ex. Asst. Commr. 2nd Class,	.....	.....	428	539	.....	.....	431	530
	3 Ditto 3rd Class,	.....	.....	139	149	.....	.....	161	167
	Total, ...	77	80	567	689	56	56	592	697
Shwé-Gyeen	1 Deputy Commr's. Court, ...	70	79	1	2	95	108	1	1
	2 Asst. Commissioners' Courts,	.....	.....	30	46	.....	.....	16	20
	1 Ex. Asst. Commr. 2nd Class,	.....	.....	217	337	.....	.....	218	305
	5 Ditto 3rd Class,	.....	.....	307	529	.....	.....	423	667
	Total, ...	70	79	555	914	95	108	658	993
	Abstract.								
Tenasserim Division	1 Commissioner's Court, ...	18	22	.....	.....	23	30	.....	.....
	4 Deputy Commrs.' Court, ...	312	344	4	6	380	426	2	2
	5 Assistant Commrs.' do ...	.....	.....	51	72	.....	.....	31	42
	4 Ex. Asst. Commr. 1st & 2d Class,	.....	.....	848	1,123	.....	.....	860	1,114
	22 Ditto 3rd Class,	.....	.....	1,343	1,846	.....	.....	1,529	2,085
	Grand Total, ...	330	366	2,246	3,047	403	456	2,425	3,243
	Increase, ...	.....	.....	.....	.....	73	90	179	19

shewing an increase of 252 cases "decided on trial" and 286 "finally disposed of." At the end of the year 1868 there were no cases pending above one year in any of the Courts in this Division.

15. In the Divisional Court of the Commissioner the Statement shews an increase of 5 Appeal Cases "decided on trial" and 8 cases "finally disposed of."

Amherst District.

16. In the Amherst District Courts it will be observed from the return that there was an increase of 55 Appeals in the number "decided on trial" and 63 "finally disposed of" and an increase of 36 Original suits "decided on trial" and 67 "finally disposed of", which is satisfactory.

Tavoy District.

17. In the District of Tavoy there has been an increase of 24 cases in the number "decided on trial, viz 9 Appeals 15 Original suits and 56 cases finally disposed of, of which 14 were Appeals and 42 Original suits.

Mergui District.

18. In the Courts of the Mergui District it will be seen that there was a decrease of 21 appeals "decided on trial" and 24 "finally disposed of" and an increase of 25 Original suits in the number "decided on trial" and 8 "finally disposed of."

Shwe-Gyeen District.

19. In the Shwè-Gyeen District the Statement shews an increase of 25 Appeals and 103 Original suits "decided on trial" and 29 Appeals and 79 Original suits "finally disposed of."

20. The state of the Miscellaneous Files was on 1st January 1868 and 1st January 1869 as follows:—

Districts		Designation.	Pending 1st Jany. 1868.	Pending 1st Jany. 1869.
Amherst.....		Commissioner's Court.....	...	...
	1	Deputy Commissioner's Court	1	3
	3	Assistant Commissioners' Courts.....	...	2
	1	Extra Assistant Commissioner's 1st Class...	...	...
	11	do. do. do. 3rd „ ...	16	39
		TOTAL.....	17	44
Tavoy.....	1	Deputy Commissioner's Court.	...	...
	1	Extra Assistant Commissioner's 2nd Class...	...	...
	3	do. do. do. 3rd „ ...	...	...
		TOTAL.....	...	...
Mergui.....	1	Deputy Commissioner's Court.....	...	...
	1	Extra Assistant Commissioners' 2nd Class...	...	...
	3	do. do. do. 3rd „ ...	...	...
		TOTAL.....	...	...
Shwè-Gyeen	1	Deputy Commissioner's Court.....	...	...
	2	Assistant Commissioners' Courts	...	2
	1	Extra Assistant Commissioner's 2nd Class...	...	...
	5	do. do, do. 3rd „ ...	...	1
		TOTAL.....	...	3
		ABSTRACT.		
Tenasserim Division..	1	Commissioner's Court.....	...	...
	4	Deputy Commissioners' Courts.....	1	3
	5	Assistant Commissioners' Courts.....	...	4
	4	Extra Assistant Commissioners' 1st and 2nd Class.....	...	...
	22	do. do. do. 3rd Class...	16	40
		GRAND TOTAL.....	17	47
		Increase.....	...	30
		Decrease.....	...	...

21. The above shews an increase of 30 cases in the number pending at the close of 1868.

22. There were no cases pending in the Commissioner's Court; there were none also in the Courts of Tavoy and Mergui Districts.

23. In the Courts of Amherst District there was an increase of 27 Miscellaneous cases pending on the 1st January 1869.

24. In the Shwè Gyeen District 3 cases were pending on the Miscellaneous file on the last mentioned date.

28. The following Statement gives the number of Miscellaneous cases instituted, and disposed of in the years 1867 and 1868; as also the number of cases above one year's standing at the close of those years respectively.

Districts.	Designation.	1867				1868			
		Instituted.	Decided on their merits.	Finally disposed of.	Pending above one year.	Instituted.	Decided on their merits.	Finally disposed of.	Pending above one year.
	Commissioner	135	135	135	...	77	61	77	...
Amherst.	1 Deputy Commissioner	505	441	507	...	445	371	443	...
	3 Asst. Commissioners	39	24	40	...	30	14	28	...
	1 Extra do. 1st class.	...	...	...	...	...	...	...	...
	11 do. do. 3d class.	310	252	304	...	427	272	404	...
	Total	854	717	851	...	902	657	675	...
Tavoy.	1 Deputy Commissioner	656	629	656	...	42	35	42	...
	1 Ex. A. Commr. 2d class.	479	459	479	...	97	92	97	...
	3 do. do. 3d class.	475	461	475	...	58	56	58	...
	Total	1,610	1,549	1,610	...	197	183	197	...
Mergui.	1 Deputy Commissioner	258	234	258	...	197	141	197	...
	1 Ex A. Commr. 2d class.	409	384	409	...	475	441	475	...
	3 Do. do. 3d class.	67	65	67	...	126	125	126	...
	Total	734	683	734	...	798	707	798	...
Shwè-Gyeen.	1 Deputy Commissioner	4	4	4	...	18	14	18	...
	2 Asst., Commissioners	16	15	16	...	12	8	10	...
	1 Ex A. Commr., 2d class.	51	38	51	...	19	10	19	...
	5 Do. do. 3d class.	115	75	118	...	189	151	188	...
	Total	186	132	189	...	238	183	235	...
Tenasserim Division.	*Abstract.*								
	Commissioner	135	135	135	...	77	61	77	...
	4 Deputy Commissioners	1,423	1,308	1,425	...	702	561	700	...
	5 Asst., Commissioners	55	39	56	...	42	22	38	...
	3 Extra Asst. Commr., 1st and 2nd class	93	881	939	...	591	543	591	...
	22 Do. do. 3rd class.	967	853	964	...	800	604	776	...
	Grand Total	3,519	3,216	3,519	..	2,212	1,791	2,182	...
	Decrease	...	...	...	..	1,307	1,425	1,337	...

26. The above shews a large decrease of 1,307 Miscellaneous cases instituted, 1,425 in the number decided on trial, and 1,337 in the number finally disposed of; the decrease is

chiefly in the Tavoy District which is explained by the Deputy Commissioner as follows :—

"The large decrease is caused by Petitions of all kinds "having wrongly been classed as Miscellaneous cases in former "years. The previous years annual papers were signed and "submitted by me, but as I only assumed charge of this Dis- "trict in the middle of December 1867, and did not discover "the error at that time."

27. Colonel D. Brown was Commissioner of this Division from 1st January to 10th February 1868.

28. Lieutenant Colonel E. M. Ryan was Officiating Commissioner from 11th February to 31st December 1868.

29. The following Statement exhibits the number and result of Appeals disposed of by the Commissioner during the year from the orders of the Deputy Commissioners.

Districts.	Name and Official Designation.	Regular Appeals.						Second Appeals.					
		For trial in 1868.	No. confirmed.	No. reversed or modified.	Rejected.	Struck off in default.	Pending.	For trial in 1868.	No. Confirmed.	No reversed or modified.	Rejected.	Struck off in default.	Pending.
Amherst.	Lt. Col. Faithfull Dy. Comr.	1	0	1	0	0	0	0	0	0	0	0	0
	Captain Browne do.	0	0	0	0	0	0	12	9	3	0	0	0
	Total...	1	0	1	0	0	0	12	9	3	0	0	0
Tavoy.	Lt. Col. Faithfull Dy. Comr.	0	0	0	0	0	0	9	4	1	1	3	0
Mergui	Mr. T. Shepherd do.	0	0	0	0	0	0	2	1	0	0	1	0
Shwé Gyeen.	Captain Strover do.	0	0	0	0	0	0	1	0	0	0	1	0
	„ Watson do.	0	0	0	0	0	0	5	4	0	0	1	0
	Total...	0	0	0	0	0	0	6	4	0	0	2	0
	Grand Total...	1	0	1	0	0	0	29	18	4	1	6	0

30. There was only one Regular Appeal, pending from last year, tried during the year, in which the decision of the Deputy Commissioner was set aside, and the case remanded for re-trial.

31. Out of 29 Second Appeals (including one pending from 1867) preferred from the appeal decisions of the Deputy Commissioners, 18 were confirmed, 4 reversed or modified, 1 rejected, and 6 struck off in default, or otherwise disposed of. The Commissioner considers that the result of Second Appeals is creditable to all the officers concerned.

32. The following officers have presided over the Civil Courts in the several Districts of this Division during the year of report.

AMHERST DISTRICT.

33. Captain H. A. Browne, Deputy Commissioner, the whole year.

TAVOY DISTRICT.

34. Lieut. Colonel G. Faithfull, Deputy Commissioner, throughout the year.

MERGUI DISTRICT.

35. Mr. T. Shepherd, Deputy Commissioner, the whole year.

SHWE GYEEN DISTRICT.

36. Captain G. A. Strover, Deputy Commissioner from 1st to 6th January.

Mr. C. J. F. S. Forbes from 7th January to 6th February 1868.

Captain C. E. Watson, Deputy Commissioner, from 7th February to the end of the year.

37. The following table gives the number and result of Appeals disposed of, by the above officers during the year under review.

By Court of.	Appeals for trial in 1868.	Number confirmed.	No. reversed or modified.	Number rejected.	Otherwise disposed of.	Pending.
Deputy Commissioner Amherst	142	45	67	20	7	3
Do. do. Tavoy	138	63	54	6	...	15
Do. do. Mergui	56	35	21	...	...	...
Do. do. Shwè-Gyeen ...	118	56	39	5	8	10
Total.....	454	199	181	31	15	28

38. The above table shews that in Amherst District there were 142 Appeal cases for disposal by the Deputy Commissioner during the year, out of which 65 or 45.8 per cent were confirmed including rejected cases, 67 or 47.2 per cent reversed or modified, 7 otherwise disposed of, and 3 pending at the close of the year. The result is not favorable to the Officers concerned.

Amherst District.

39. Captain Browne in his report makes the following comparison of the manner in which the Appeal cases in his Court were disposed of:

"The rejected cases are those in which the Appeal was "dismissed, on perusal of the petition of appeal and the "proceedings of the Lower Court without calling the respon- "dent. The number of such cases has increased from 12 in "1867, to 20 in 1868. The number of cases under the next "head i. e. cases decided in favor of Appellant in which the "decision of the lower Court was reversed modified or "amended shews a result unfavorable to the lower Courts "during the past year. In 1867 30 cases out of 76 or 39 "per cent were decided in favor of appellant, whilst in 1868 "67 cases out of 139 or 41 per cent were so decided. Out "of the 67 cases decided in 1868 in favor of appellant, in 15

" cases the decisions of the Lower Court were modified, and " in 14 cases amended leaving a balance of 30 cases only in " which the decisions of the lower Courts were absolutely " reversed. Among the 30 cases in which the lower Courts " decisions were absolutely reversed, there were 16 cases in " which the lower Courts were found to have disposed of the " cases on preliminary points and which were therefore re- " manded for new trial under Section 351 of the Civil Procedure " Code. In 12 cases it was found necessary to send the " cases back to the lower Court for re-trial and ultimate " decision by the Appellate Court under Section 354 Civil " Procedure Code, on account of the lower Court having " omitted to raise the necessary issues."

TAVOY DISTRICT.

40. Before the Deputy Commissioner of Tavoy District there were 138 appeals for trial of which 63 were confirmed, 54 reversed or modified, 6 rejected, and 15 pending at the close of the year, a result not so satisfactory as last year. The Deputy Commissioner of Tavoy remarks—"In the Court of the 2nd "Class Extra Assistant Commissioner, the proportion of con- "firmation is considerably smaller and of reversal larger to "the total of cases decided than in the previous year. This "Court takes cognizance of cases arising within the Town "limits, many of which are of a more intricate nature than "those tried in the rural Courts."

MERGUI DISTRICT.

41. In the Mergui District the return shows 56 Appeals for trial by the Court of the Deputy Commissioner, of these 35 or 62.5 per cent were confirmed, and 21 or 37. 5 per cent reversed or modified. The result is satisfactory.

SHWE-GYEEN DISTRICT.

42. The number of Regular Appeals before the Deputy Commissioner of Shwè-Gyeen was 118, or 27 more than the previous year, of these 118 cases 61 or 51.7 per cent were confirmed including re- jected cases, 39 or 33.0 per cent reversed or modified, 8 other- wise disposed of, and 10 pending at the end of the year. The result is favorable to the Subordinate Courts.

43. The Assistant and Extra Assistant Commissioners in charge of Sub-divisions were as follows:—

AMHERST DISTRICT,

HEAD QUARTER MAULMAIN.

44. Mr. G. E. Barr, Assistant Commissioner 2nd class throughout the year.

AMHERST SUB-DIVISION.

45. Captain G. E. Fryer, Assistant Commissioner 2nd class was appointed to this Sub-division since the 27th September 1868.

MARTABAN SUB-DIVISION.

46. Mr. C. J. F. S. Forbes, Assistant Commissioner 3rd class the whole year.

KAUKARIT SUB-DIVISION.

47. Moung Byaw, Extra Assistant Commissioner 1st class, the whole year.

TAVOY DISTRICT:

48. Moung Shwè Kyee, Extra Assistant Commissioner 2nd class, for the whole year.

MERGUI DISTRICT:

49. Moung Shwè Bo, Extra Assistant Commissioner 2nd class, for the whole year.

SHWE-GYEEN DISTRICT,

YOONZALEEN SUB-DIVISION:

50. Mr. H. Buckle, Assistant Commissioner 3rd class, throughout the year.

SITTANG SUB-DIVISION:

51. Mr. A. Hough, Assistant Commissioner 3rd class, throughout the year.

SHWE-GYEEN TOWN:

52. Moung Shwè Nyaing, Extra Assistant Commissioner 2nd class, for the whole year.

53. The following return will show the total number of suits disposed of by the above officers, the number of Appeals preferred from their decisions and the result of the Appeals decided during the year.

District and Court of	Cases disposed of in 1868.	Appeals.					
		Appeals preferred.	Number confirmed.	No. reversed or modified.	Rejected.	Otherwise disposed of.	Pending.
AMHERST DISTRICT							
Assistant Commissioner, Maulmain, ...	10	6	3	3	...	...	...
do. do. Martaban Subdivision, ...	12	...	...	...	...	...	...
do. do. Amherst "	.....	.....	...	...	...	...	...
Extra do. Kaukarit "	6	.....	...	...	...	...	...
Total, ...	28	6	3	3	...	...	...
TAVOY DISTRICT.							
Extra Assistant Commissioner 2nd class Tavoy, ...	273	47	19	22	2	...	4
MERGUI DISTRICT.							
Extra Assistant Commissioner 2nd class Mergui,... ...	530	42	27	15	...	...	...
SHWE GYEEN DISTRICT.							
Assistant Commissioner Yoonzaleen subdivision, ...	20	2	1	...	1	...	...
do. do. Sittang "							
Extra do. Shwè-Gyeen, "	305	29	14	9	1	2	3
Total, ...	325	31	15	9	2	2	3
Grand Total, ...	1,156	126	64	49	4	2	7

54. There were 6 Appeals from the decisions of the Assistant Commissioner, Maulmain; of these 3 were confirmed, and 3 reversed or modified. There have been no Appeals from the decisions of Assistant Commissioner Thatone and Extra Assistant Commissioner 1st Class Kaukarit during the year.

55. The Court of the Assistant Commissioner Amherst Sub-division established on 22nd September 1868 has had no Civil cases in consequence of not having been invested with powers under Section I Act XXV of 1863.

56. The Deputy Commissioner in his report makes the following remarks on the qualifications of the subordinate officers under him:

"Messrs. Barr and Forbes are both excellent Judicial "Officers. Mr. Barr is most precise and careful and has a "great experience. Captain Fryer as already noticed has "had no Civil Judicial Work, in consequence of not having "been invested with minor powers. Extra Assistant Com- "missioner 1st Class Moung Byaw is unused to Judicial "Work and too old to learn."

57. The Extra Assistant Commissioner of Tavoy, Moung Shwè Kyee, disposed of 273 cases on trial during the year, 47 Appeals were preferred from his orders,21 of which were confirmed including rejected cases, and 22 reversed or modified, which is not a good result. The Deputy Commissioner of Tavoy reports:—"The Extra Assistant Commissioner "Moung Shwè Kyee has much improved the procedure of "his Court, under instructions given from time to time by "myself and has given me good assistance in conducting en- "quiries in miscellaneous cases."

58. Of 530 cases disposed of by Moung Shwè Bo, Extra Assistant Commissioner of Mergui, 42 were appealed, of these 27 were confirmed and 15 reversed or modified. The result is creditable. The Deputy Commissioner in his report remarked that this officer has conducted the duties of his Court with fairness, and to the best of his abilities.

59. In the Shwe-Gyeen District there were 20 cases disposed of by the Assistant Commissioners and 305 by the Extra Assistant Commissioner, Shwè Gyeen, making a total of 325 cases, out of which 31 cases were appealed, of these 17 were confirmed including rejected appeals, 9 reversed or modified, 2 otherwise disposed of, and 3 remained pending at the close of the year.

60. The Statement given below exhibits the total number of cases disposed of by the Extra Assistant Commissioners of the 3rd Class, the number of appeals preferred from their decisions, and the result of the appeals disposed of in 1868:—

Districts.	Courts of	Cases disposed of in 1868.	Appeals.					
			Appeals preferred.	Number confirmed.	Number reversed or modified.	Rejected.	Otherwise disposed of.	Pending.
Amherst.	Ex. Asst. Commr. Zeah Township.	195	39	11	17	6	2	3
	Do Beeloogyoon Do.	166	44	12	20	9	3	.....
	Do Gyne Attaran Do.	61	9	1	7	.....	1	.....
	Do Gyne Salween Do.	72	7	4	2	1	.....	.....
	Do Hline Bwai Do.	37	3	2	1	.....	.....	.....
	Do Toungyeen Houngdraw	61	.....	.....	.....	.....	.....	.....
	Do Wagroo Amherst	90	7	1	5	1	.....	.....
	Do Yea Lanyne Do.	60	3	1	2	.....	.....	.....
	Do Martaban Do.	91	15	6	6	2	1	.....
	Do Thatone Do.	88	4	2	1	1	.....	.....
	Do Phagat Do.	23	5	2	3	.....	.....	.....
	Total ...	944	136	42	64	20	7	3
Tavoy.	Do N. E. Division	67	29	14	9	2	.....	4
	Do S. E. Do.	128	38	19	13	1	.....	5
	Do Western Do.	112	24	11	10	1	.....	2
	Total ...	307	91	44	32	4	.....	11
Mergui.	Do Palaw Township	90	9	5	4	.....	.....	.....
	Do Tenasserim Do.	45	5	3	2	.....	.....	.....
	Do Lenya Do.	32	.....	.....	.....	.....	.....	.....
	Total ...	167	14	8	6	.....	.....	.....
Shwé Gyeen.	Do Kyouk Kyee Township	135	18	3	8	.....	.....	7
	Do Shwé Gyeen Do.	77	12	8	.....	1	3	.....
	Do Sittang Do.	173	27	13	14	.....	.....	.....
	Do Beeling & Kykehto do.	252	30	17	8	2	3	.....
	Do Yoonzaleen Do.	30	.....	.....	.....	.....	.....	.....
	Total ...	667	87	41	30	3	6	7
	Grand Total ..	2085	328	135	132	27	13	21

61. The number of Extra Assistant Commissioners of 3rd Class was the same as the year previous, viz 22. These Officers have disposed of 2,085 Original cases during the year, out of this number, 328 cases were appealed; 162 or 49.4 per cent were confirmed, including rejected cases; 132 or 40.3 per cent were reversed or modified; 13 otherwise disposed of and 21 pending at the close of the year under review.

62. The Deputy Commissioner of Amherst District makes the following remarks on the Extra Assistant Commissioners 3rd Class under him:

"Moung Shwé Ee, is the hardest worked of the Extra "Assistant Commissioners 3rd Class. He attempts to do "substantial justice but generally in a very blundering man- "ner; as remarked before he is nearly past work. He cannot "write the records of his cases himself. Moung Bho is a young "Officer; he is attentive and will probably improve. His "handwriting is almost illegible and his appeal cases conse- "quently gave much trouble to the Deputy Commissioner. "Moung Doot is extremely dilatory and inefficient. Moung "Tai Hlaw is a very intelligent man. Moung Ee is quite past "Judicial work if he ever was capable of doing any properly. "He has been recommended for a pension. Moung Khyaik "had intelligence, but was dilatory as well as arbitrary and "unjust, and was suspended in October 1868. His officiat- "ing successor Moung Tshoung has been working very well "and seems likely to make a good judicial officer."

"Moung Htoon Gyaw a Toungthoo who was appointed "to succeed his father Moung-Goon-Bau in 1867 appears wil- "ling to learn but his abilities are certainly of a low order. "The other Extra Assistant Commissioners have discharged "their duties to the best of their abilities. For Judicial "work as transacted in our Courts none of them shew any "special aptitude."

63. Regarding the qualifications of the Extra Assistant Commissioners (Myookes) of Tavoy District, the Deputy Commissioner reports as follows:

"The proportion of cases appealed to those decided was "greater last year than in the preceding one, with not so "favorable a result. Extra Assistant Commissioner, Moung

" Shwè Att pays more attention to procedure, and altogether " gets up his cases better than the two other Extra Assis- " tant Commissioners. Moung Shwè Hlaw is most faulty " in this respect. There is however more work in all depart- " ments in his Court than in the others which may account " for occasional irregularities."

" The Deputy Commissioner of Mergui says the result " of Appeals from the subordinate Courts is good." " The " Officers have conducted the duties ef their several Courts, " with fairness and to the utmost of their abilities."

64. The Deputy Commissioner of Shwè Gyeen has made no report on the qualifications of the subordinate Officers under him.

65. The average duration of cases in all the Courts was as follows.

Courts.	Appeals.		Original Suits.		Miscellaneous cases.	
	Month.	Days.	Month.	Days.	Month.	Days.
Commissioner of Tenasserim Division.	„	28	„	„	„	1
Deputy Commissioner of Amherst.	„	8	2	19	„	6
do. do. of Tavoy.....	1	22	„	„	„	1
do. do. of Mergui.....	„	12	„	„	„	1
do. do. of Shwè-Gyeen.....	„	7	„	2	„	2
Assistant Commissioner of Maulmain.....	„	„	„	7	„	3
do. do. of Amherst..... ...	„	„	„	„	„	„
do. do. of Thatoon.....	„	„	„	29	„	4
do. do. of Yoonzaleen..... }	„	„	„	3	„	2
do. do. of Sittang..... }						
Extra Assistant Commissioner of Kaukarit ...	„	„	„	„	„	„
do. do. of Tavoy	„	„	„	14	„	1
do. do. of Mergui .:....	„	„	„	6	„	1
do. do. of Shwè-Gyeen.	„	„	„	6	„	3
Extra Asst. Commr. 3rd Class of Amherst. ...	„	„	„	25	„	15
do. do. do. of Tavoy.....	„	„	„	12	„	1
do. do. do. of Mergui... ...	„	„	„	5	„	1
do. do. do. of Shwè-Gyeen.	„	„	„	6	„	2

66. The average duration of Appeals in the Commissioner's Court shows an improvement during the year, over the preceding one.

In 1867.....	38	days.
In 1868.....	28	,,
Decrease.....	10	

The average duration in Miscellaneous cases was one day, the same as the preceding year.

67. In Amherst District the duration of Appeal cases in the Deputy Commissioner's Court during the year under review, has greatly improved; it was only 8 days against 2 months and 19 days the preceding year. There was only one Original suit on the Deputy Commissioner's file which lasted for 2 months and 19 days.

68. The Deputy Commissioner in his report makes the following remarks with regard to average duration of cases in his Court:—

"At the commencement of 1868 there were as noticed in "the report for 1867 some cases of very old standing on "the pending file. The oldest case had been pending for "19 months. All such cases were cleared off early in the "year, and the oldest case pending at the close of the year "had been on the file for 10 days only. The average dura- "tion of cases also has been reduced from 2 months and 19 "days to 8 days only. Considering the great distance of "some of the Courts from the Head Quarter Station, and the "length of time that the Deputy Commissioner is required to "be away in the interior of his District, the average duration "of cases has now been reduced probably to its lowest possi- "ble limit."

69. In the Assistant Commissioner's Court Amherst District, the general average duration of Original suits during the year was 18 days, and in Extra Assistant Commissioners' Courts 25 days.

The Deputy Commissioner reports: "There is no doubt "that the duration of cases in all the Courts in this District "would be much shorter, were it not for the numerous appli- "cations for postponements presented by the parties them- "selves or their pleaders."

Tavoy District.

70. In the Tavoy District the duration of Appeals was 1 month and 22 days in the Deputy Commissioner's Court during the year against 1 month and 6 days the year previous. In the Extra Assistant Commissioners' Courts 2nd Class the average duration of Original suits was 14 days the same as previous year, and in the Myookes or Extra Assistant Commissioners 3rd Class 12 days, 2 days less than the year previous.

71. The increase of 16 days in the Court of the Deputy Commissioner is attributed by the Deputy Commissioner to his having "been delayed in the interior of his District on Revenue Settlement duty."

72. In Miscellaneous cases the average duration was only one day in all the Courts of Tavoy District.

Mergui District.

73. Before the Deputy Commissioner of Mergui District, the average duration of Appeals was 12 days, 4 days less than the year previous. The duration in Original suits in Extra Assistant Commissioner's Courts 2nd Class was 6 days, and in Myookes' Court 5 days.

Shwe Gyeen District.

74. The average duration of Appeals in the Deputy Commissioner's Court of Shwè Gyeen was 7 days, 1 day more than the previous year, in Original suits 2 days or 8 days less than the year previous, and in Miscellaneous cases the same for both years viz 2 days.

75. In the Assistant and Extra Assistant Commissioners' Courts the duration was 5 days in Original suits and 2 days in Miscellaneous cases, and in Myookes' or Extra Assistant Commissioners' Courts 3rd Class the average was nearly the same as the previous year.

76. There were no suits reported to have been instituted in any Courts of this Division during the year in which Government was a party.

77. The total amount of value of Appeals, Original Suits, and Miscellaneous cases is as below shewn:—

Description of Cases.	1867.			1868.		
Value of Appeals - - - - - -	46,947	10	8	48,762	14	3
do. Original Suits - - - - - -	1,73,164	12	5	1,75,933	12	6
do. Miscellaneous Cases - - - - -	15,821	10	11	12,919	5	0
Total -	2,35,934	2	0	2,37,615	15	9
Increase . -				1,681	13	9
The value of Stamps amounted						
For Appeals - - - - - -	3,786	15	0	4,288	13	0
„ Original Suits - - - - -	17,862	14	0	18,350	10	0
„ Miscellaneous Cases - - - -	1,511	7	0	1,776	2	0
Total -	23,161	4	0	24,415	9	0
Increase -				1,254	5	0
The costs of every description and Stamps, &c.						
For Appeals - - - - - -	4,849	0	3	5,766	10	4
„ Original Suits - - - - -	26,890	10	6	30,376	7	0
„ Miscellaneous Cases - - - -	3,113	1	8	3,561	8	0
Total -	34,852	12	5	39,704	9	4
Increase -				4,851	12	11

78. The above statement shews that there has been an increase of Rupees 1,681 in the value of all suits instituted during the year 1868, as compared with 1867 ; the value of stamps filed on Suits and Petitions and the amount of costs of every description have also increased ; the former by Rupees 1,254 and the latter by Rupees 4,851. The percentage of costs of every description to the value of all Suits averaged 16 per cent against 14 per cent in the previous year.

79. As regards the working of Stamp duty imposed under Act XXVI of 1867, the Deputy Commissioners of the several Districts have remarked in their report as follows:

Amherst.

" In Original suits it will be seen from the return that " the increase in the value of suits is " entirely in the Court of the Assis- " tant Commissioner Maulmain. In that Court the value " of suits has risen from Rupees 2,788 in 1867 to Rupees " 12,770 in 1868, but the value of the stamps filed in 1868 " amounted to Rupees 729 only. This also is owing to suits " *in formâ pauperis* to the value of Rupees 8,925 having been " instituted. In the Court of the Assistant Commissioner, " Thatone, there has been a slight decrease in the value of

" suits instituted and stamps filed. In the Courts of the " Extra Assistant Commissioner, the value of suits instituted " has decreased from Rupees 55,240 in 1867, to Rupees " 53,752 in 1868. There is no doubt that this falling off, is " caused by the enhanced rate of stamp duty imposed by Act " XXVI of 1867. As the rate of stamp duty on all cases in- " stituted in the Courts of Extra Assistant Commissioners is " about 10 per cent on the value of the suit, the stamp duty " on plaints to the amount of Rupees 53,752 would be Rupees " 5,375. The difference between that sum and the value of the " stamps filed, or Rupees 369, represents the value of the " stamps filed on papers other than plaints. With regard to " such papers the new stamp act has diminished the amount " of stamp duty imposed ; formerly they require a stamp of " eight annas, now they can be filed on a one anna stamp."

Tavoy.

" The percentage of costs on the value of the suits aver- " aged 40 per cent as against 16 per " cent in 1867. This owes from the " increased number of suits and appeals and the generally " raised value of stamped papers used in suits under Act " XXVI of 1867."

Mergui.

80. The Deputy Commissioner of Mergui has not made any remarks on the above subject in his report.

Shwe-Gyeen.

"It is believed that no special circumstances have oc- " curred in this District, irrespective " of the alteration of Stamp duty that " would operate in varying the number of suits instituted. " It may therefore be inferred that the increased rates of " Stamp duty have little effect in lessening litigation; at the " same time it is considered that the Stamp duty levied on " suits up to Rs. 500 in value is excessive and presses severe- " ly on the poorer classes."

81. The increase in the rates of Stamp duty under the new Act does not appear to have lessened litigation in this Division, as the number of suits as well as the value of stamps filed in Civil cases in the various Courts during the past year has increased. The new Act appears to work well and is fairly understood.

ARBITRATION OF SUITS.

82. In the Courts of the Deputy and Assistant Commissioners of Amherst District there were no cases referred to arbitration during the year under review. In the Courts of the Extra Assistant Commissioners 1st and 3rd classes, the number referred to arbitration was only 23 cases. The remarks made by Captain Browne on arbitration are as follows:—

"Arbitration, when the case has once come into Court "is very sparingly resorted to as the parties can seldom agree "about the arbitrators each party wishing to name a par- "tisan of his own. In all the cases referred to arbitration "the awards of the arbitrators were confirmed. There were "no cases in which awards made without the intervention of "a Court were filed in Court under section 327 of the Civil "Procedure Code. There is some doubt as to what consti- "tutes "sufficient cause" against the filing of such an award "within the meaning of the last sentence of the above men- "tioned section. It can hardly be intended that section 324 "shall apply to awards filed under the section."

83. In the Tavoy and Mergui Districts there were no cases referred to arbitration during the past year.

84. In the Shwè Gyeen District 56 cases were decided by arbitration (only in cases of inheritance or settlement of accounts and other intricate cases) and none of the decisions of the arbitrators have been set aside either on appeal or by the Courts of original jurisdiction.

REGISTRATION OF DEEDS.

AMHERST DISTRICT.

85. The Office of Registrar of Deeds was held by Mr. Barr, Assistant Commissioner, Maulmain, throughout the year. The number of Deeds registered during the past two years were as follows:—

	1867.	1868.
Registry of Wills.....	2	3
General Register.....	73	113
Temporary Conveyance.....	61	15
Permanent do	299	346
Total.....	435	477

86. During the year Registry Offices were established in the Courts of the Assistant Commissioners' at Thatone and Amherst, but no documents have been registered as yet up to the end of the year.

87. Regarding the absence of Registered documents at Thatone, the Assistant Commissioner Mr. Forbes mentions as follows :—

"A number of copies of a few plain hints of the use "and effects of registration were distributed by me, and I "explained the same personally to all officials, and well-to-do "persons I could, but the bonds executed by the people here "generally are little more than a kind of promissory note for "small sums. They seem to think paying Rupees 2 for reg- "istration, throwing money away. As they say they can "take as good care of the original as the Court can, and don't "require a duplicate."

TAVOY DISTRICT.

88. In this District the number of Deeds registered in the Deputy Commissioner's Office for the past two years was as follows.

	1867.	1868.
Permanent Conveyance.....	4	1
Temporary do.	2	1
General Register.....	„	1
Register of Wills.....	„	„
Total.....6		3

MERGUI DISTRICT.

89. There were no Deeds registered in this District.

SHWE-GYEEN DISTRICT.

90. There were only 5 registrations of Deeds in this District throughout the year.

EXECUTION OF DECREES.

91. The following table gives the number of applications for execution of Decrees in the several Districts, during the year 1868.

Districts.	No. of applications pending last year.	No. presented during the year 1868.	No. disposed of in 1868.	No. pending at the close of the year 1868.
Amherst	...	315	315	...
Tavoy	...	121	121	...
Mergui	...	158	158	...
Shwe-Gyeen	...	147	147	...
Total...	...	741	741	...

92. In the Deputy Commissioner's Court of Amherst District there were 53 applications for execution of decrees. In one case only no execution of decree was obtained. In 31 cases partial execution was obtained and in 21 cases the decrees were fully executed.

93. In the Court of the Assistant Commissioner Maulmain there were 4 applications, of these, 3 were for execution of decrees in suits for land, and one for specific performance under section 200 of the Civil Procedure Code. There were no applications for execution of decrees in the Courts of the Assistant Commissioner Thatone, and Extra Assistant Commissioner 1st Class Kaukarit.

94. In the Extra Assistant Commissioners' Courts 3rd Class there were 258 applications for execution of decrees, out of which 49 were for moveable and 209 for immoveable property. In seven cases only was execution of decree enforced by imprisonment of the judgment debtor and the longest period any judgment debtor was so imprisoned was 2 months.

95. In Tavoy District, execution on decrees was applied for in 121 cases which were disposed of as below.

In 55 cases the amount was paid at once.
„ 33 „ Property attached and sold.
„ 2 „ Persons confined in jail.
„ 11 „ Warrants with-drawn.
„ 20 „ Warrants not executed.

The number of persons confined in the Civil Gaol of Tavoy during the year was 3, and the longest period of imprisonment was 3 months.

96. The return for Mergui District shows 158 applications for execution of decrees disposed of during the past year, but no detail as to disposal has been rendered by the Deputy Commissioner.

97. In the Court of Shwè-Gyeen District 147 applications were disposed of during the year. The remarks made by Captain Watson are given below.

" The extent to which the Courts are resorted to for the " execution of decrees is no criterion of the usefulness of the " Courts in enforcing the payment of just debts."

" The loser of a suit if he has the means almost invaria- " bly pays the money into Court, or settles with the decree- " holder in some other way. The average of the number of " executions to the number of decrees passed is only 17 per " cent. Imprisonment for debt is very rare in this District; " 12 persons have been confined in the Civil Gaol for an aver- " age period of 3 days each."

98. During the past year the Officiating Commissioner of this Division has inspected the Judicial and Revenue Registers and other Records of the several District Courts; they are correctly kept according to the instructions, and new forms sent from this office. The Deputy Commissioner of Amherst District in commenting in his report on his inspection of the subordinate Courts of his District states, that he has inspected all the Courts of his district except those of Kaukarit and Attaran, and makes the ingenuous? remark that he was twice on the point of starting for Kaukarit and on both occasions was stopped in consequence of orders from the Commissioner, as it might be inferred from the above re-

mark that the Commissioner's orders had prevented Captain Browne from visiting those Courts some time *during* the *year* under review; it is thought necessary to explain that the orders referred to were directions to the Deputy Commissioner to conduct the current duties of the Commissioner's Office during his absence in the District on circuit, and he was so absent on each occasion referred to only about 10 or 12 days. I have reason to be satisfied with the working of the four Deputy Commissioners of this Division during the year under review, Captain Browne and Captain Watson especially. I can also endorse the opinion of Captain Browne with respect to the manner in which Assistant Commissioners Barr and Forbes have conducted their duties.

MAGISTRATES' REPORTS.

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REPORT

OF THE

DISTRICT MAGISTRATE OF AKYAB.

For 1868.

From the Deputy Commissioner, Akyab, to the Commissioner of Arakan Division No. 66, dated Akyab, the 11th February 1869.

1. I have the honor of submitting herewith my report on the Administration of Civil Justice of the Akyab District for the year 1868.

SECTION II.

JUDICIAL, CIVIL JUSTICE, AKYAB DISTRICT.

2. 1st.—Report of the Administration of Civil Justice in the District of Akyab for the year 1868.

2nd.—The following was the state of the Regular files on the 1st January 1868 and 1st January 1869, showing 47 pending against 52 of 1868.

	1868.	1869.
Deputy Commissioner, Akyab - - - -	16	10
1st Assistant Commissioner, Akyab - - -	...	...
2nd do. do - - -	12	4
Extra Assistant Commissioner, Naaf - - -	5	2
do. do. Kolladan - -	1	1
2nd Class Extra Assistant Commissioner, Akyab -	8	17
3rd, do. do do. Mrohoung	6	2
„ do. do. do. Rathaidoung	...	11
„ do. do do. Mengbra	...	...
„ do do do. Oorectoung East	3	...
„ do. do. do. do. West	1	...
Total - -	52	47
Increase - -	...	5
Decrease - -	...	...

3. The decrease is in all the Courts save Rathaidoung and the 2nd Class Extra Assistant Commissioner's Court, Akyab; in the latter Court it is satisfactorily explained by the

great increase of suits: (vide Deputy Commissioner's No. 113 dated 9th March 1869) about 182 per cent; in the former Court the increase of suits is small as well as the number decided, and no good cause for the increase has been given.

4. In the 2nd Assistant Commissioner's Court, Akyab, the great decrease is attributable to many fewer having been received in the Court, the cause of which will be hereafter explained.

5. The number of Suits and Appeals instituted during the past two years as below, show an increase of 342 in the year under review:—

		1867.	1868.
Deputy Commissioner, Akyab,	Original ...	0	0
	Appeal ...	135	131
1st Assistant Commissioner.	do.	72	0
2nd. do. do.	do. - -	308	144
Extra Assistant Commissioner	Naaf - -	217	175
do. do. do.	Kolladan - -	102	39
2nd Class do.	Akyab - -	388	1095
3rd Class do.	Mrohoung -	250	215
do. do do.	Rathaidoung -	132	150
do. do do.	Mengbra - -	142	132
do. do do	Oorectoung, East-	93	95
do. do do.	do. West	64	69
	Total -	1903	2245
	Increase -	0	342
	Decrease -	0	0

6. The cause of increase and decrease it is often very difficult to discover and in some cases it can only be guessed at.

7. The increase on the whole is 17·9 per cent.

8. In the Deputy Commissioner's Court it is only in Appeals, and but small.

9. 1st Assistant Commissioner, Akyab—no Civil Suits were heard in that Court.

10. 2nd Assistant Commissioner's Court, Akyab. There is as compared with the Suits heard in the corresponding Court of 1867, (the Extra Assistant Commissioner Mr. Perreau's) a decrease of 164 or 53·2 per cent—the cause is owing to the

former officer Mr. C. D. C. Lloyd hearing only Suits that originated in the Kyailet Township and cases in the Town in which Europeans were parties, whereas the latter took up a share of the petty town Suits.

11. Extra Assistant Commissioner's Court Naaf—a decrease of 42 cases or 19·3 per cent; this probably arises from the increase of the Stamp duties, discouraging petty litigation, as I notice that in the first quarter there was a decrease as compared with that of 1867 of 14 suits, in the 2nd 22, in the 3rd of 13, but in the 4th an increase of 7—Moung Kulla has not yet given a reason for the decrease.

12. 1st Class Extra Assistant Commissioner's Court, Kolladan—the decrease is 63 or 61·7 per cent; this is attributable to there being no Court in the Township; since the middle of April 1868 the duties have been carried on at Akyab and Mrohoung, but at much inconvenience to the inhabitants.

13. Extra Assistant Commissioner 2nd Class, Akyab—there is a large increase of about 182 per cent; this is partly owing to there being no 1st Class Extra Assistant Commissioner's Court here as in 1867, where cases of small amount were tried and the 2nd Class Extra Assistant Commissioner's Court thus relieved, but mainly to many more suits having been raised in Akyab; arising from the previous year, in a mercantile sense, having been an unsuccessful one.

Vide Deputy Commissioner's letter No 113 dated the 9th March 1869

14. 3rd Class Extra Assistant Commissioner, Mrohoung —here is a decrease of 35 Suits or 14 per cent, but no cause has been given by the judge.

15. 3rd Class Extra Assistant Commissioner, Rathaidoung—here is an increase of 18 Suits or 13·6 per cent for this no cause is shown by the judge.

16. 3rd Class Extra Assistant Commissioner, Mengbra —here is a decrease of 10 Suits or 77 per cent; this is but small and no explanation is given.

17. 3rd Class Extra Assistant Commissioner, Oorcetoung East—an increase of 2 cases which calls for no remark.

18. 3rd Class Extra Assistant Commissioner, Oorcetoung West—also an increase of 5 cases.

19. All the judges of these Courts were called on to give explanations of the cause of the decrease and increase of Suits, but I regret that in the instances above noted they have not supplied it.

20. Number of Suits and Appeals decided on trial and finally disposed of during the years 1867 and 1868, is given in the following form which shows an increase of 161 in the former and of 366 in the latter in the year under review:—

	1867		1868	
	Decided on trial.	Finally disposed of.	Decided on trial.	Finally disposed of.
Deputy Commr. Akyab { Regular Suit / Appeals.	... / 123	... / 131	... / 125	... / 137
1st Assistant Commr. do. -	55	75	...	...
2nd do. do. do. -	162	298	95	152
Extra Assistant Commr. Naaf. - -	85	214	68	178
do. do. do. Kolladan. -	51	101	24	39
2nd Class do. do. Akyab. -	218	384	616	1,086
3rd Class do. do. Mrohoung. -	139	245	95	219
do. do. do. Rathaidoung. -	66	139	54	139
do. do. do. Mengbra. -	84	142	66	132
do. do. do. Ooreetoung East.	35	93	32	98
do, do. do. Ooreetoung West.	36	63	40	70
Total....	1,054	1,884	1,215	2,250
Increase...	...	...	161	366
Decrease...	...	...	...	...

21. The increase is nearly the same as in the comparison between the years 1866 and 1867, there it was 182 and 384, the number of cases withdrawn has slightly decreased, it is only 366 in 1868; but it is in the 2nd Class Extra Assistant Commissioner's Court, Akyab, that the great number of Suits have not been brought to trial but dismissed or withdrawn, it amounts to 470 and would show that much of that litigation in the Town had been compromised. This is so far a favorable feature as it shows that the increase of the stamp duty in Civil Suits does not amongst Traders (and of that class are mainly the Akyab litigants,) deter them from enforcing their claims at law.

22. There were no Suits or Appeals pending above a year.

23. The state of the Miscellaneous files on the 1st January 1868 and 1st January 1869, is as follows:-

	1868.	1869.
Deputy Commissioner Akyab - - -	2	5
1st Assistant Commissioner Akyab - -	.....	.....
2nd Do. Do. - -	6	1
Extra Assistant Commissioner Naaf -	3	...
„ do do. Kolladan - -	.....	1
2nd Class do. do. Akyab - - -	4	9
3rd Class do. do. Mrohoung -	.....	.....
„ do. do. Rathaidoung -	.....	8
„ do. do. Mengbra -	.....	.....
„ do. do. Ooreetoung East	.....	.....
„ do. do. Ooreetoung West	.....	.....
Total	15	24
Increase.....	.....	9

24. There is a small increase under this head.

25. In the Deputy Commissioner's Court—2 are applications for Certificates to administer to estates and filed in December and 26th November, one an application to enforce a mortgage the time for foreclosure has not yet fallen in—another regarding an intestate estate of a European, all of its property has not yet been realized owing to difficulties of carriage,—and the last is to obtain property in charge of a guardian, instituted in December.

26. 2nd Class Extra Assistant Commissioner—Akyab, an increase of 5—of the 9 pending four are for execution of decrees—of these 3 were instituted in November, 1 in December, the remainder are 5 applications for discharge from Civil duress—the earliest instituted 30th November last.

27. 3rd Class Extra Assistant Commissioner, Rathaidoung—there is here an increase of 8, all applications for execution of decrees—of these 3 were instituted in December; but I consider that there should not have been so many as 8, which shows dilatoriness.

28. Regarding the other Courts no remarks are called for.

29. The following Statement shows the number of Miscellaneous cases instituted and disposed of in the years 1867 and 1868, as also the number of cases of above one year's standing at the close of those years respectively.

	1867				1868			
	Instituted.	Disposed of by an order on their receipts.	Finally disposed of.	Pending above one year	Instituted.	Disposed of by an order on their receipts.	Finally disposed of	Pending above one year
Dy. Commr., Akyab.	40	38	43		53	38	50	
1st Asst do. do.	60	29	60		27	8	27	
2nd do. do do.	157	154	154		83	77	88	
Ex. do. do. Naaf	182	71	184		137	60	140	
do. do. do. Kolladan	42	26	42		18	7	17	
2nd Class Ex. Asst. Commr., Akyab.	504	199	505		1184	493	1179	
3rd do. do. Mrohoung	53	32	53	None	62	49	62	None.
do do. do. Rathaidoung.	36	32	36		46	27	38	
do. do. do. Mengbra.	20	20	20		22	17	22	
do. do do. Ooreetoung East.	22	22	22		31	31	31	
do. do. do. Ooreetoung West.	14	14	15		16	9	16	
Total -	1130	638	1134	...	1679	816	1670	...

30. The increase of Miscellaneous cases 536 is very large; in 1867 the increase over that of 1866 was only 35.

31. In three Courts only is there a decrease; in the 1st Assistant Commissioner's Court, explained by its having no Civil Suits in 1868—the executions of decrees that Court carried out were those transferred from other Courts.

32. In the 2nd Assistant Commissioner's Court the decrease is explained by its having tried fewer Original suits than in 1867.

33. In the Naaf and Kolladan Courts from the last named cause.

34. In the 2nd Class Extra Assistant Commissioner's Court, Akyab—there is above an increase of 674 Miscellaneous, arising from the great increase of litigation in it.

35. A table attached shows regarding each Court the number of decrees executed, the value of the property decreed, to what extent redress was obtained, the average number of days the execution was on the file, and the longest time any one was in any Court.

36. The proportion of costs of execution on the property decreed is only 2.4 per cent.

37. The average duration of these cases is 15·45 days, and the longest was but 2 months and 2 days, compared with the statement of 1867, the average has decreased in the Naaf and Ooreetoung West, very much in Kolladan, Rathaidoung and Ooreetoung East, the duration is also less. In Menghra, much the same, and very low. The increase of duration is in the Akyab 1st and 2nd Assistant Commissioners' Courts, and the 2nd Class Extra Assistant Commissioner's Court. In the 1st two it is small, in the 3rd the average has increased from 11.62 to 17; this may be accounted for by the increase of work.

TABLE A.

STATEMENT showing the result of the application for Execution in Civil Suits in the undermentioned Courts for the year 1868.

1	2	3	4		5		6	7	8	9	10	00	12	13	14	
Courts.	No. of cases in which decrees were passed in 1868.	No. of applications.	Amount of Decree or value of property decreed.		Cost of Execution.		Recovered in full through Bailiff.	Recovered in part through Bailiff.	Imprisoned.	No assets, Judgment debtor discharged.	Struck off, Judgment debtor not found.	Struck off through decree holders fault or desire.	Average number of days the case was open, vide Cols. 6 & 7.	Longest time any case was open, vide Cols. 6 and 7.	Transferred to other Courts or standing over.	
															T.	P.
Dy. Comr. of Akyab ...	.....	...	.....		.....		...	...	...	...	...	.....	.....	.....	...	...
1st Asst. Comr. do ...	.....	12	6,033	11	48	8	6	1	...	...	3	1	12	40	1	...
2nd do do ...	76	74	5,308	3	118	9	47	...	4	...	9	6	6·98	62	8	...
E. A. Comr. Naaf ...	73	22	1,708	15	48	14	19	...	...	...	...	3	23	62	...	...
Do Kolladan ...	21	18	1,253	...	288	4	13	...	...	1	1	2	14	16	...	1
2nd Class E.A. Comr. Akyab.	654	468	92,488	14	1,733	12	128	70	53	10	95	108	17	62	...	4
3rd Do do Mrohoung.	78	28	1,436	6	150	1	12	2	...	...	...	14	18	24	...	...
Do do Rathaidoung.	70	34	4,915	8	189	2	14	...	...	...	1	10	8	53	1	8
Do do Menghya...	50	10	852	11	38	3	6	...	1	...	...	3	5	24	...	...
Do do Ooreetoung East ...	33	20	1,357	8	110	4	9	...	1	...	...	10	11	37	...	...
Do do do West.	31	11	1,203	12	108	...	7	...	...	...	1	3	5	35	...	...
TOTAL ...	1,086	697	1,17,558	11	2,833	9	261	73	59	11	110	160	15·45	62	10	13

In the Mrohoung Court the average duration has risen from 10·80 to 18·, and shows a want of attention on that Judge's part, as was discovered when the Deputy Commissioner visited that Court lately.

38. The average duration of the cases has been given by the Lower Courts which have not carried out their calculations to fractions.

39. The longest duration is 62 days in the Courts of 2nd Assistant Commissioner, Akyab, 2nd Class Extra Assistant Commissioner's Court, Akyab, and the Extra Assistant Commissioner's Court, Naaf. In 1867 it was 87 days at the Naaf, 75 at the 2nd Class Extra Assistant Commissioner's Court Akyab, 69 at Kolladan, and 65 at Ooreetoung East.

40. The improvement is considered satisfactory.

41. The proportion of applications to decrees passed is 64.18 per cent, and varies much in the different Courts; it is strange that out of 21 decrees passed in the Kolladan there should have been 18 applications, in other District Courts they are much fewer in proportion to the decrees passed.

Arbitration of Suits

42. To these sections of the Civil Code of Procedure resource is but little had, the cause is probably that where, in a village conclave a decision as to a claim is arrived at, it is rarely necessary to call on the law to enforce performance, for it is well known that many disputes regarding property are decided in conclaves.

43. In the 2nd Class Extra Assistant Commissioner's Court, Akyab, only two were brought into Court and carried into effect. In the Extra Assistant Commissioner's Court, Mrohoung, there were 4, of these 3 were carried out and one struck off in default of costs. In none of the other Courts were any received.

44. The increase and decrease of the amount litigated in comparison between 1868 and 1867 stand thus:—

COURTS	1868						1867					
	Total amount of value of Suits.			Value of Stamps and Law Papers			Costs of every description including Law Papers.			Total amount of value of Suits.			Value of Stamps and Law Papers.			Costs of every description including Law Papers.		
	Rs	As	P.	Rs.	As	P	Rs.	As	P	Rs.	As	P	Rs.	As	P	Rs.	As	P
Dy Commr Akyab { Appeals	16,020	5	1	1,542	.....		2,447	9	5	26,805	12	3	2,235	.....		3,026	...	10
Regular Suits	...	.....		...	.....		...	.....		...	.....		...	.....		...	.....	
1st Asst Commr Akyab	...	.....		...	.....		...	.....		9,662	12	10	587	8	...	1,081	5	4
2nd do. do.	13,252	...	6	1,132	.....		1,381	3	...	22,433	7	11	1,744	.....		2,648	8	3
Ex Asst Commr Naaf	11,504	11	2	1,124	.....		1,573	2	6	11,564	10	10	1,023	.....		1,538	2	3
do do Kolladan	1,631	1	6	186	8	...	698	7	6	5,951	5	4	499	.....		834	12	...
2nd Class do. Akyab	1,06,907	8	5	11,572	8	...	15,063	14	8	54,916	9	7	4,787	10	...	6,439	11	8
3rd Class do. Mrohoung	12,751	11	6	1,525	.....		2,678	...	9	18,254	2	4	1,609	.....		2,910	4	3
do do Rathaidoung	7,642	11	2	772	.....		1,347	15	6	8,351	15	9	770	.....		2,004	8	9
do do. Mengbra	7,130	3	2	787	13	...	1,372	14	...	9,121	5	7	853	8	...	1,330	7	...
do. do. Ooreetoung East	4,759	1	4	502	8	...	893	2	9	7,166	1	2	589	.....		1,086	1	9
do. do. do. West	5,749	12	5	648	.....		1,285	9	..	4,356	11	10	555	2	...	1,220	7	...
Total	1,71,328	13	2	18,250	5	...	26,294	5	8	1,51,779	3	2	13,017	12	...	21,094	4	3

Courts.	1868								1867							
	Total amount of value of Suits.			Value of Stamps and Law Papers.			Costs of every description including Law Papers.			Total amount of value of Suits.			Value of Stamps and Law Papers.			Costs of every description including Law Papers.		
	Rs.	As	P.	Rs.	As	P.	Rs.	As	P.	Rs.	As	P.	Rs.	As	P.	Rs.	As	P.
Deputy Commr. Akyab.	850	5	10	21	...	...	55	15	8	3,482	6	6	15	...	...	37	15	...
1st Asst. Commr. do.	5,672	11	9	6	8	...	56	10	...	12,399	11	6	21	1	...	116	1	...
2nd do. do.	14,790	8	3	54	8	...	129	10	...	12,510	2	6	82	...	...	269	14	...
Extra Asst. Commr. Naaf.	4,697	15	6	34	5	...	46	8	9	6,782	9	10	72	7	...	140	6	6
do. Kolladan.	700	13	3	14	...	...	299	9	3	2,768	3	1	7	8	...	55	...	...
2nd Class do. Akyab.	1,44,818	12	1	1,067	8	...	1,632	11	...	53,896	8	1	375	14	...	1,017	15	6
3rd Class do. Mrohoung.	4,527	5	10	30	...	...	173	8	...	5,379	2	5	116	...	...	213	4	...
do. do. Rathaidoung.	3,451	13	2	23	8	...	118	14	...	3,876	15	10	19	...	...	170	4	...
do. do. Mengbra.	1,173	3	2	15	8	...	60	6	...	3,353	11	9	11	...	...	74	14	...
do. do. Oorectoung East.	1,550	15	1	15	8	...	120	12	5	1,269	6	6	11	...	...	105	8	...
do. do. do. West.	1,146	13	8	19	4	...	119	9	...	272	8	...	22	10	...	76	6	...
Total...	1,83,380	11	7	1,302	9	...	2,814	2	1	1,05,991	6	...	753	8	...	2,277	8	...

45. It is observed that in the office copy of the return of increase and decrease of the amount litigated in 1867 there is an error and the costs of every description should be Rs. 3,026-10 and not Rs. 2,026-10.

46. In the year 1868 the value of the property appealed was considerably less—the proportion of the value of the stamps was nearly 1-10th and of the whole costs 3-20th of the sum appealed.

47. The 1st Assistant Commissioner took up no Civil Suits.

48. 2nd Assistant Commissioner's Court; there were 164 fewer cases received in 1868 and the value of the property litigated was more than Rs. 9,000 less. The proportion of the value of the Stamps to the sum litigated was 1-11th and that of the whole costs not 1-10th—there appears to be some error here as the difference is so very small.

49. Extra Assistant Commissioner, Naaf there were 42 fewer Suits received, but the value of the property litigated was almost the same as in 1867 -the proportion of the value of stamps was rather less than 1-10th and of the whole costs rather more than 3-25th of the sum litigated.

50. Extra Assistant Commissioner, Kolladan - there were 53 fewer Suits received and the value was little more than a fourth of that of 1867; the proportion of the stamp value was 1-9th and the whole almost 7-16th of the sum litigated—explanation has been called for explaining the great disproportion of the latter.

51. 2nd Class Extra Assistant Commissioner, Akyab—there was an increase of 707 Suits and the amount of property litigated nearly doubled; the proportion of the value of the Stamp is about 1'9 and of the whole costs just over 1'7, this is pretty moderate.

52. 3rd Class Extra Assistant Commissioner, Mrohoung- there were 35 Suits less received, and a decrease of Rs. 5,500 in the value of the property litigated.

The proportion of the value of the Stamps was under 1'9 and of all the costs nearly 1 5 of the sum litigated.

53. 3rd Class Extra Assistant Commissioner, Rathai doung- there were 18 more suits received and the value of the property litigated was nearly Rs. 700 greater; the proportion of the value of the stamp duty was over 1/10, and of all the costs a little over 1 6 on the value of the property litigated.

54. 3rd Class Extra Assistant Commissioner, Mengbra -there were 10 fewer Suits than in 1867, and the value has decreased Rs. 2,000.

The proportion of the value of the Stamps was over 1 9, and of all the costs over 1 5 of the value of the property litigated.

55. Oorectoung East - 2 more Suits were received, but the value of the property litigated has decreased by nearly Rs. 2,400.

The proportion of the value of Stamps was over 1 9 and of all the costs 1 5 of the value of the property litigated.

56. Ooreetoung West - there was an increase of 5 cases and of Rs. 1,400 nearly.

The proportion of the value of Stamps was over $\frac{1}{8}$ and of the whole costs $\frac{1}{4}$ of the value of the property litigated.

57. The increase and decrease of the value of the property the subject of Miscellaneous Cases—the value of the Stamp paper filed therewith, and the whole costs are also shown; but as there is no relative proportion between the value of the subject and the costs, or Stamp duty incurred no remarks thereon seem called for—the diversities that exist can only be explained by a detail of all the circumstances under which the Stamp paper was filed and costs incurred.

58. In 1867 the Stamp duty was .71 of the value, and the whole costs 2.14 thereof, in 1868 the former was also .71 of the value and the latter 1.53 thereof.

59. The following Statement shews the work done by the under-named Officers :—

Name of Official Designation.	Appeals.				Original.			
	Regular.		Miscellaneous.		Regular.		Miscellaneous.	
	Decided on trial.	Finally disposed of.	Decided on trial.	Finally disposed of.	Decided on trial.	Finally disposed of.	Decided on trial.	Finally disposed of.
Col. Spilsbury, Deputy Commissioner in 1867.	123	131	6	6	...	...	32	37
Do. Do. in 1868.	119	130	9	9	...	...	36	38
Mr. Treacy, Offg. Deputy Commissioner in 1868.	7	7	1	1	...	...	2	2
Total...	126	137	10	10	...	...	38	40

60. In the Deputy Commissioner's Court no Civil Suits were instituted, but the number of Appeals and Civil Miscellaneous cases heard are greater in 1868 than in 1867—the pending Appeals file in 1868 is less than that in 1867, but a few more Miscellaneous cases are pending in 1868 than in 1867—the cause has been explained at para 25. It was not without much labor the Appellate files were so reduced, for, when the Deputy Commissioner returned from privilege leave on the 1st April there were 34 pending Civil Appeals; this large number arose from the inability, through bad health of his *locum tenens* Mr. Treacy, to give much attention to Appeals during the 2 months he officiated.

61. The following officers were the Assistant and Extra Assistant Commissioners in this District.

62. The Statement below shews the number of Suits decided on trial by each officer, the number of Appeals preferred from their decisions and the results of those disposed of during the year.—

Names and Official Designations.	1	2	3	4	5	6	7	8	9	10
	Appeals.									
	Suits decided on trial in lower Court.	Pending at the close of 1867.	Received during the year 1868.	For trial during the year 1868.	Number confirmed.	Number reversed.	Number modified.	Number rejected.	Otherwise settled or adjusted.	Pending at the close of 1868.
Lieutenant M. C. Poole, Assistant Commissioner, Akyab	...	1	...	1	1	...	...	...	...	...
Mr. R. A. D. Perreau E. Do. Do. Do.	...	1	..	1	...	...	...	1	...	.
Mr. C. D. C. Lloyd, Asst. Commr. from 1st Jany. to 31st Decr. 1868.	95	4	25	29	17	9	...	2	1	..
Mr. T. W. Hunt E. Asst. Commr., Naaf, from Do. to 26th April 1868.	15	1	3	4	4	...	...	...	...	.
Moung Kull Do. Do. from 27th April to 31st Decr. 1868.	53	..	3	3	2	...	...	1	..	...
Moung Kulla Do. Do. Kolladan from 1st Jany. to 14th April do.	13	1	8	9	3	6	...	..	...	...
Mr. T. W. Hunt, E. Asst. Commr. from 26th May to 5th Augt. 1868.	9	...	3	3	3	...	...	...	..	..
Pha Proo, 3rd Class Do. Do. from 17th Augt. to 31st Decr. do.	2	...	...	...	...	...	...	...	...	..
Shwè Taw, 2nd Class Do. Do. from 1st Jany. to 31st do. do.	616	4	35	39	23	9	...	1	2	4
Pha Proo, 3rd Class Do. Do. Mrohoung from 1st Jany. to 31st Decr. 1868.	95	...	8	8	2	3	...	1	1	1
Htoon Oo ,, Do. Do. Rathaidoung Do. Do.	54	2	11	13	10	1	...	...	...	2
Moung Kulla Do. Do. Mengbra Do. Do.	66	1	12	13	4	7	...	...	...	2
Moung Nhing Do. Do. Ooreetoung East from 1st Jany. to 18th October 1868. ...	30	1	8	9	3	3	2	...	1	...
Shwè Too Do. Do. from 19th Octr. to 31st Decr. 1868. ...	2	...	...	..	...	..	...	...	..	...
Moung Bein Do. Do. from 1st Jany. to do. do.	40	...	15	15	9	5	...	...	...	1
Total ..	1,090	16	131	146	81	43	2	6	5	10

63. In judging thence of the qualifications of the officers, I consider there are 2 points to be considered first the proportion of appeals made against their decisions. 2nd. The result of the hearing of the Appeals. In considering the first, due regard must be had to the facility of Appealing.

64. The proportion of Appeals to decisions is thus.

	1	2	3	4	5	6	7	8	9	10	11
	Mr. Lloyd.	Mr. Hunt, Naaf.	Moung Kulla 1st Naaf.	Moung Kulla 1st Kolladan.	Mr. Hunt, Kolladan.	Shwè Taw.	Pha Proo.	Twon Oo.	Moung Kulla 2nd.	Moung Nhing.	Moung Baing.
Average...	26.3	20.	5.6	61.5	33.3	5.6	8.4	20.3	18.1	26.6	37.5

65. The Judges in cols. 1, 5 and 6 were in Akyab when they decided the Suits appealed against, and some allowance for the facility of appealing may be made, but the proportion against the two in columns 1 and 5 is very high and shows many were dissatisfied.

66. As regards the Judge in col. 6 the contrary is the case, and the appeals were very few.

67. In the District the Naaf is the most inaccessible Court. The proportion of appeals to decisions is here very high.

Against Moung Kulla when at the Naaf, few appeals were made, but whilst at Kolladan more than half his decisions were appealed.

68. Against the decision of Twon Oo, Moung Nhing and Moung Baing the proportion of appeals was over one fifth and with the last nearly two fifths.

THE RESULT OF THE APPEALS.

69. Mr. C. D. C. Lloyd—the appeals against his decisions were many; of 29 decided, 9 were reversed, nearly one third—in several instances greater care on the part of this officer would have changed the result.

70. Mr. Hunt—although the proportion of Appeals to his decisions was high, all the Appeals were decided in that officer's favor which is favorable.

71. Moung Kulla 1s—the proportion of Appeals to his decisions was high, and out of 11 heard 5 were reversed; this cannot be considered favorable.

72. Shwè Taw—against his decisions there were very few Appeals, and of the 35 heard 9 only were reversed, this is certainly favorable to that officer.

73. Pha Proo—there were few Appeals against his decisions, of the 7 heard 3 were reversed and 1 modified—not favorable.

74. Twon Oo—one fifth of his decisions were appealed, but of 11 heard only 1 was reversed—this is very favorable to that officer.

75. Moung Kulla 2nd—the proportion of Appeals to his decisions was rather high, and of the 11 decided 7 were reversed—very unfavorable.

76. Moung Nhing—the proportion of Appeals to decisions is unusually high; of the 9 decided 3 were reversed and 2 modified—this is not favorable to that officer.

77. Moung Baing—the proportion of Appeals against decisions was very high, but of the 14 decided 5 only were reversed—this is not unsatisfactory.

78. As regards Lt. Poole, Mr. Perreau and Shwè Too no remarks are called for.

79. The following Statement shows the cases in which the parties were personally present before the undermentioned Courts.

Official Designation.	In which Plaintiff was personally present before the Court.	In which Defendant was personally present before the Court.	In which both parties were present before the Court.
Deputy Commissioner Akyab { Appeals	84	...	53
Deputy Commissioner Akyab { Original.	...	...	...
1st Assistant Commissioner Akyab.	...	...	...
2nd Do. Do.	38	...	114
E. A. Commissioner Naaf.	64	...	114
Ditto. Kolladan.	3	3	33
2nd Class E. A. Commissioner Akyab.	193	4	889
3rd Do. Ditto. Mrohoung.	29	91	99
„ Do. Ditto. Ruthaidoung.	84	...	55
„ Do. Ditto. Mengbra.	43	...	89
„ Do. Ditto. Ooreetoung East.	26	10	62
„ Do. Ditto. Ooreetoung West	19	...	51
TOTAL.	583	108	1,559

80. The average duration of Suits in the Deputy Commissioner's, Assistant and Extra Assistant Commissioners' Courts is shown in the following Table:—

Official Designation.	1867.		1868.		Improvement.		Deterioration.	
	Months.	Days.	Months.	Days.	Months.	Days.	Months.	Days.
Dy: Commr: Akyab { Reg: Suit	..	...	...	...	...	...	...	...
Dy: Commr: Akyab { Appeals	1	28	2	5·5	...	...	...	7
1st Asst. Commissioner, Akyab ...	...	13	...	...	...	...	...	...
2nd do. do. do. .	..	4	...	3·2	...	1	...	...
Ex. do. do. Naaf .	.	19	...	5·4	..	13	...	...
Do. do. do. Kolladan ..	..	18	...	13	...	5	...	...
2nd do. do. Akyab ..	...	9	..	8·2	...	1	...	...
3rd do. do. Mrohoung . .	...	8	...	7·7	...	. .	...	...
Do. do. do. Rathaidoung	..	6	...	7·	. .	...	. .	1
Do. do. do. Mengbra ...	...	8	...	9.5	...	...	...	1
Do. do. do. Ooreetoung E.	...	18	...	18	...	...	.	. .
Do. do. do. do. W.	...	20	...	15	...	...	...	5
Total . . .	. .	11		8·7	...	3	..	...

81. There is an increase in the duration of Appeals in the Deputy Commissioner's Court—this is explained by the state of the files on the 1st April as shown in Para 61, also from that date to the 15th May the Deputy Commissioner in addition to his own had the Town Magistrate's duties to attend to; this allowed of hardly any Civil Appeals during that period being taken up.

82. Rathaidoung and Mengbra Courts—the average duration of cases has increased by 1 day in the former Court 28 more Suits were heard than in 1867, but in Mengbra 10 fewer. Undoubtedly there should have been no increase in duration in the latter Court.

83. In Ooreetoung West there is an increase of 5 days in the duration of Suits and but 5 more Suits, were instituted than in 1867 this increase shows dilatoriness.

84. Both the Extra Assistant Commissioners, 3rd Class at Ooreetoung West and Mengbra will be addressed on the subject.

85. In all the others there is a decrease in the duration of Suits, very marked at the Naaf; at Kolladan Court it is also large.

86. There are 44 pleaders at the different Courts viz: 5 at Mrohoung, 4 at Rathaidoung, 2 at Mengbra, 2 at Ooreetoung, East, 4 at Ooreetoung West, 1 at Naaf and the remainder 25 here, they are all 3rd Class Pleaders except Mr. Savage, who is of the 1st Class, one 3rd Class Pleader died during 1868.

Mr. Savage had left of taking up cases, but again appeared as Pleader towards the end of the year.

87. Deeds were Registered here by Assistant Commissioner Mr. J. Hind: the books have been examined and found correctly kept, but as the Registration of deeds is not compulsory it is but a comparatively small number that are registered. During 1868 there were deeds registered in all as follows:—

Permanent Conveyances	...	83
Temporary do.	...	10
Bonds and other Documents		80
Wills		
The fees amounted to ...	Rs.	346

88. The Registers are all properly kept and those of the Deputy Commissioner's Court monthly examined.

89. The Subordinate Courts have also examined their's as directed by the Deputy Commissioner.

When the Deputy Commissioner visited the District Courts he found their records, registers &c. generally kept in a satisfactory state.

90. The Register of deeds of Naaf have been kept here, since Mr. Hunt left that Station, there were no entries in 1868.

91. The report in detail on the examination of Registers and records will be submitted as directed, after 31st March next.

92. The former Bailiff who was re-appointed by the order of the Provincial Court on the 18th January 1868, was transferred to a Kyonokeship on the 4th June 1868, and the Bailiff of the Magistrates Court was again appointed Bailiff of this Court—he has given security for Rs. 2,000 in landed property duly estimated and valued.

93. The Gazettes were properly filed.

94. The Library Books are kept in proper order and entered in the Register daily as soon as they are received.

95. The Civil Records are filed and arranged up to 1867.

CHARACTER OF THE SUB-JUDGES.

96. Mr. J. Hind has carried on his duties during the whole year but has had no Civil Suits to decide.

97. Mr. T. W. Hunt died at Akyab on the 6th August; he was a hard working officer, and a very conscientious Judge, his health had been failing for some time before.

98. Mr. C. D. C. Lloyd carried on his duties during the whole of the year save for 19 days when he went on privilege leave; he is rather hasty in his decisions but has good abilities and is zealous in the discharge of his duties.

99. Moung Kulla 1st—in the Civil report of last year the Deputy Commissioner remarked that the working days of this old Government Servant were past, the report of this year is the same.

100. Shwè Taw—"an intelligent officer and very well fitted for his office," was the opinion given in 1867; his conduct during 1868 has tended to confirm it.

101. Pha Proo is certainly indolent and does not give the attention he should to his duties.

102. Twon-Oo shows a want of energy as a supervisor of others but is a steady and intelligent officer.

103. Moung Kulla 2nd—an energetic officer, at times over zealous; as a Judicial Officer he is indifferent.

104. Mọung Nhing, I cannot report favorably on this Officer; he was suspended by order of the Chief Commissioner of British Burma 18th October 1868.

105. Shwè Too has officiated since 19th October 1868, he has conducted his judicial duties satisfactorily.

106. Moung Baing has shewn himself to be a very worthy Government Servant; as a Judicial Officer he has done well.

107. I trust that this report will be found complete and satisfactory.

REPORT

OF THE

SUPERINTENDENT OF HILL TRIBES NORTHERN ARAKAN

For 1868.

From the Superintendent of Hill Tribes, Northern Arakan, to the Commissioner, Arakan Division, Akyab, No. 5 dated Kolladan, 15th Jan. 1869.

I have the honour to submit the Report on the Civil Returns for the year 1868.

2. It will be observed that there have been a very few Civil cases during the year, the reason being that nearly all disputes of a civil nature are settled by the hill people amongst themselves.

3. The cases shown in the Returns for 1868 had to be settled in my court as they were disputes between persons belonging to different tribes.

4. The amount of costs Rs. 1/8 shown in the Return was paid for the service of summonses.

5. There does not appear to be any case in the present Returns deserving particular notice.

REPORT

OF THE

DISTRICT MAGISTRATE OF RAMREE.

For 1868.

1. Report of the Administration of Civil Justice in the District of Ramree for the year 1868.

2. The following was the state of Regular Files on the 1st January 1868, and 1st January 1869:—

	1868	1869
Deputy Commissioner of Ramree	0	0
Extra Asst. Commissioner 1st Class, 2nd grade, of Kyouk-Phyoo...	0	0
Do do 3rd Class, 2nd grade, of Aeng ...	0	0
Do do do 3rd do of Ramree ..	0	0
Do do do 4th do of Cheduba ...	1	0
Total ..	1	0
Increase . .	0	0
Decrease .	0	1

showing in the number none pending on the last mentioned date which is satisfactory.

3 The number of Suits and Appeals instituted during the past two years as below shows a decrease of 99 cases in the year under review:—

	1867	1868
Deputy Commissioner of Ramree	55	52
Ex. Asst. Commissioner 1st Class, 2nd grade, of Kyouk Phyoo	203	119
Offg. do do do do	0	45
Ex. Asst. Commissioner 3rd Class, 2nd grade, of Ramree ...	203	153
Offg. do do do do ..	0	55
Extra Assistant Commissioner 3rd Class, 2nd grade, of Aeng ...	81	81
Do do do 4th do Cheduba...	153	91
Total	695	596
Increase .	0	0
Decrease .	0	99

The decrease in the Deputy Commissioner's Court is trifling and calls for no remark. In the Court of the Extra Assistant Commissioner, 1st Class, 2nd Grade, of Kyouk Phyoo, there is a decrease of 39 suits, and in the Court of the Extra Assistant Commissioner, 3rd Class, 4th Grade, of Cheduba, there is a decrease of 62 suits, this decrease is considered to be caused by the depression in trade in the District and consequent smaller monetary transactions. In Cheduba the effect of the cyclone of November 1866 also were still felt in respect to the quantity of grain for export.

In the Court of the Extra Assistant Commissioner, 3rd Class, 3rd Grade, of Ramree, there was the trifling increase of 5 suits most probably owing to such trade as was carried on in the District being confined to its largest town.

In the Court of the Extra Assistant Commissioner, 3rd Class, 2nd Grade, of Aeng, there was no increase or decrease, and this would seem to indicate that the increased rate of Stamp duty levied on initiatory plaint did not effect the litigation in that Court, but then the litigation is so insignificant that it affords no good data from which the effect of those increased duties could be judged. Whereas in the Court of the Extra Assistant Commissioner, 3rd Class, 3rd Grade, of Ramree, the increase of 5 Suits would denote that the increased Stamp duties did not affect litigation there, consequently in this District it is questionable whether those duties had any thing to say to decrease in litigation and the smallness of the total litigation gives little scope to form any appreciable judgment thereon, but it will be remembered that the new Stamp Act (XXVI of 1867) was in full force throughout the whole year of 1868, and only in force from March in 1867.

The amount litigated and cost of Stamp duties in 1867 and 1868 appear as follows :—

	1867		1868		1868			
					Increase		Decrease	
	Amount litigated	Stamp Duty	Amount litigated	Stamp Duty	Amount litigated	Stamp Duty	Amount litigated	Stamp Duty.
Appeals	3,639 14 7	379	5,063 7 11	568 8	1,423 9 4	189 8		
Suits	30,225 4 1	3,004 13	26,751 10 7	3 211 2		206 5	3,473 9 6	
Miscellaneous	22,008 13 11	278	16,579 2 3	270 2			5,429 11 8	8
Total	55,874 7	3,661 15	48,394 4 9	4,049 12	1,423 9 4	395 13	8,903 5 2	8
					Net	387 13	7,479 11 10	

Showing a net decrease of amount litigated Rupees 7,479-11-10 with a net increase of Rupees 387-13-0 stamp duty —a decrease in the former with an increase in the latter clearly shows the effect of the increased stamp duties in 1868 in comparison with 1867, the increased duties in the latter year having only effect during 9 months. The decrease in amount litigated in 1868 is mainly due to the decrease in the total suits instituted, but of course there might be exception, as one case might be instituted in which the amount litigated would exceed more than any dozen small value cases, but in this District this exception did not exist to any great extent.

4. Number of suits and Appeals decided on trial and finally disposed of during the year 1867 and 1868 as given in the following Form, shows a decrease of 25 in the former, and a decrease of 100 in the latter in the year under review.

	1867.		1868.	
	Decided on Trial.	Finally disposed of.	Decided on Trial.	Finally disposed of.
Deputy Commissioner of Ramree	48	55	40	52
E. A. Commissioner 1st Class 2nd grade ...	114	206	61	119
Officiating do. do.	„	„	25	45
E. A. Commissioner 3rd Class 3rd grade ...	61	203	63	157
Officiating do. do.	„	„	23	51
E. A. Commissioner do. 2nd grade ...	53	81	49	81
Do. do. 4th grade. . ..	65	152	55	92*
TOTAL.....	341	697	316	597
Increase	„	„	„	„
Decrease.....	„	„	25	100

*Includes cases pending at the close of 1867.

which is due to decrease of cases instituted owing to the supposed causes already stated.

5. The state of the files as regards Suits and Appeals pending above one year, stood on the 1st January 1868 and 1st January 1869, as follows:—

	1868.	1869.
Deputy Commissioner of Ramree	None.	Total.
Extra Assistant Commissioner 1st Class 2nd grade '...		
Do. do. 3rd Class 2nd do.		
Do. do. do. Class 3rd do.		
Do. do. do. Class 4th do.		
Total.	„	„
Increase.....	„	„
Decrease....,.....	„	„

shewing that there were no Suits or Appeals pending above one year either on the 1st January 1868 or the 1st January 1869, a similar result to that of the previous year.

6. The state of the Miscellaneous files on the 1st January 1868 and 1st January 1869 was as follows :—

	1868	1869
Deputy Commissioner of Ramree ... ... „		1
Extra Asst. do. 1st Class 2nd Grade ... ... „		„
do. do. 3rd do. ... . „		„
do. do. do. do. ... ... „		„
do. do. do. do. ... ... „		„
Total ..... „		1
Increase ..... „		1
Decrease ..... „		„

shewing that one case was pending in the Deputy Commissioner's Court being a case of intestate estate and as the heirs if any, to which resided in Syhlet the notice for them to come forward had to be sent to that district, and sufficient time allowed to admit of any heir presenting himself before the Court.

7. The following Statement shows the number of Miscellaneous cases instituted and disposed of in the year 1867 and 1868, as also the number of cases of above one year's standing, at the close of those years respectively.

		Instituted.	Disposed of by an order on their merit.	Finally disposed of.	Pending above one year.
1867.	Deputy Commissioner	5	4	5	...
	Ex. Asst. do. 1st. Class 2nd Grade	171	13	171	...
	Offg. do. do. do do.	...	..	...	...
	Ex. do. do. 3rd do. 3rd do.	130	99	130	...
	Offg. do. do. do. do.	...	.	...	...
	Ex. do. do. do. 2nd do.	6	5	6	...
	do. do. do. do. 4th do.	40	23	40	...
	Total	352	268	352	...
1868	Deputy Commissioner	12	9	11	...
	Ex. Asst. do. 1st Class 2nd Grade	71	61	70	...
	Offg. do. do. do.	20	20	21	...
	Ex. do. do. 3rd 3rd do.	109	75	116	...
	Offg. do. do. do. do. do.	27	17	20	...
	Ex. do. do. 3rd 2nd do.	9	8	9	...
	do. do. do. do. do.	32	27	32	...
	Total	280	217	279	..
	Increase	...	...	...	...
	Decrease	72	51	73	...

a decrease in Original Suits instituted would naturally cause a decrease in certain Miscellaneous cases, such as execution of decrees, claims to sue as pauper and as the past year has shown a decrease in the institution of Original Suits the above decrease of 62 Miscellaneous casese instituted is attributed thereto; in 1867 there were 172 cases for execution of decree against 129 cases in 1868, a decrease of 43 out of the total decrease 72, and in 1867, 4 cases claims to sue in *formâ pauperis* were instituted against 1 case in 1868. This disposes of 46 out of the decrease 72, and the remaining decrease of 26 cases is due to circumstances which are not effected by the institution of Original Suits and call for no special remarks.

The following return shows the execution of decrees in 129 cases instituted during the year.

DISTRICT.	No. of applications for execution including past year.	No. of decrees completely executed.	No. of decrees partially executed.	Pending at end of year.	Sales real property.	Sales personal property.	Imprisonment.	Paid at once.	Warrant not executed.	Warrant withdrawn.
Ramree.	129	83	46	...	9	1	5	55	45	1

It is satisfactory to notice that only in 9 cases sales of real property took place in giving full effects to the decrees of court; also that in 5 cases only was the decree enforced by imprisonment.

There was only one case of arbitration which was referred by the Aeng Court to arbitrators at the request of the parties.

Arbitration is not in great favor with the people of the District; they often agree to abide by the decision of certain elders, but as these elders do not write out a regular decision, the parties do not consider themselves bound by the verbal decision of these Loogyees, consequently the aggrieved party applies to the Court and frequently a case has been regularly discussed in presence of elders in the village before being taken to the Courts. This may be caused by a wish of the parties to get the opinion of men they respect prior to entering on the expense of a law-suit, but as a general rule the litigants of the District prefer the well constituted British Court to the verbal decision of men not very learned—rejoicing in the name of "learned elder", more on account of their village notoriety than from education or knowledge of law &c.

8. Mr. W. DeCourcy Ireland, was officiating Deputy Commissioner from 1st to 7th January 1868, he sat during it 4 days for the disposal of Civil business and none were devoted to it in the year 1868. Capt. W. C. Plant, was Deputy Commissioner from the 8th January to 31st December 1868, he sat during it 279 days for the disposal of Civil business, out of which 87 days were devoted to it in the year 1868.

Name and Official Designation.	Appeals.				Original			
	Regular.		Miscellaneous.		Original.		Miscellaneous.	
	Decided on trial	Finally disposed of	Decided on trial	Finally disposed of	Decided on trial.	Finally disposed of	Decided on trial.	Finally disposed of
Captain Plant, Deputy Commissioner	39	50	0	0	1	2	9	11

Thus out of the whole year 87 days were employed in Civil business which comprised 50 Appeals, 2 Original suits, and 11 Miscellaneous cases, or a total of 63 cases—this gives 1. 3 days to each case on the average as the duration in the Deputy Commissioner's Court.

The above period 87 days is the actual number of days in which the Court was engaged in trying Suits and Appeals.

9. The following Officers were Extra Assistant Commissioners 1st class 2nd grade, 3rd class, 2nd 3rd and 4th grades, in this District throughout the year.. The statement shows the number of Suits decided on trial by each Officer, the number of Appeals preferred from their decisions, and the result of those disposed of during the year are shown below:

Name and official designation.	1	2	3	4	5	6	7	8
	Decided on Trial.	Appeals For trial during the year	Number confirmed.	Number reversed.	Number modified.	Number rejected.	Otherwise settled or adjusted.	Pending.
Moung Shwé Dike Kay E A Comr 1st class 2nd grade.	61	20	12	2	3	2	1	...
„ Na Hto Shwè offg. E. A Comr. 1st class 2nd grade.	25	3	...	...	...	2	1	...
„ Na Hto Shwè E. A. Comr. 3rd class 3rd grade.	63	11	5	2	...	3	1	...
„ Htoon Aye offg. E A Comr 3rd class 3rd grade	23	6	3	2	1	...	...	...
„ Hla Htoon Oung E. A. Comr 3rd class 2nd grade.	49	8	3	3	2	...	...	...
„ Phoung Tha Oo E A. Comr. 3rd class 4th grade.	55	2	...	1	...	...	1	...
Total...	276	50	23	10	6	7	4	...

which shows a general favorable result; for out of 276 cases decided on trial only 50 Appeals were presented and of these the judgment of the Lower Court was confirmed in 23 cases, in 7 cases Appeal was rejected, and 4 cases otherwise settled, that is out of 50 Appeals, in 34 the decisions were undisturbed.

Out of 61 cases decided by Extra Assistant Commissioner (1st Class 2nd Grade) Moung Shwè Dike Kay, 20 Appeals were presented, in 15 of which his decision was undisturbed, and only 2 reversed and 3 modified, which result is favorable to that officer—because his Court being situated in the same building as the Appellate Court, appellants are not deterred appealing by having a journey to undertake before presenting their petition or informing their pleaders. Extra Assistant Commissioner 3rd Class 2nd Grade, Moung Hla Htoon Oung, decided 49 cases, out of which 8 were brought up in Appeal-out of these 8, his decision was only confirmed in 3 cases and disturbed in 5 cases—this result does not show favorably to

this officer, and shows a falling off from the result in 1867, perhaps the change from Kantoungyee to Aeng may have disturbed him.

Extra Assistant Commissioner 3rd Class 3rd Grade Moung Na-Hto Shwè, decided 88 cases, out of which only 14 Appeals arose, his decision being disturbed in 2 cases only, a highly creditable result to him. Extra Assistant Commissioner 3rd Class 4th Grade Phoung Tha Oo, decided 55 cases on trial, out of which only 2 were appealed, in one of which his order was reversed. This is a favorable result, but the distance of his Court from the Appellate Court no doubt influences the number of Appeals brought up, so the actual number of cases appealed during the year is no fair criterion of his judgment which there is just reason to consider is good. Moung Htoon Aye, officiated as Extra Assistant Commissioner during the absence of Extra Assistant Commissioner, Moung Shwè Dike Kay on leave, and he decided 23 cases, 6 were appealed, his order in 3 cases upheld, in 2 reversed and in 1 modified, a fair result for a man placed on the bench for the first time, and indicates the possession of a very fair intellect and judgment.

Extra Assistant Commissioner Moung Shwè Dike Kay is a good judicial officer, careful, zealous and pains taking. He has lately been most deservedly promoted to Extra Assistan Commissioner 1st Class 2nd Grade from 2nd Class 1st Grade.

Extra Assistant Commissioner 3rd Class 2nd Grade, Moung Hla Htoon Oung, improves on acquaintance, and is an intelligent officer, a little hasty in coming to conclusions and forgetful at times.

Extra Assistant Commissioner, Moung Na-Hto Shwè, is a very superior man, quiet in manners, decided in character, careful in his work, zealous, painstaking and intelligent, well worthy of promotion. He is only Extra Assistant Commissioner 3rd Class 3rd Grade, and is posted in the most important and largest town in the District and well he has performed his task in looking after it.

Extra Assistant Commissioner, Moung Phoung-tha-Oo, is a good judicial officer, tho' old and slow.

Moung Htoon Aye, is a clerk of the Deputy Commissioner's Court, the short time he sat on the bench shows he promises well as a judicial officer.

10. The following Statement shows the cases in which the parties were personally present before the Court:—

Official Designation.	In which Plaintiff was personally present before the Court.	In which Defendant was personally present before the Court.	In which both parties were present before the Court.
Deputy Commissioner ...	1	0	1
Ex. Asst. Commr. 1st class 2nd grade.	21	31	67
Offg. do. do.	13	4	28
Ex do. do. 3rd class 3rd grade	40	51	66
Offg do. do.	14	11	26
Ex. do. do 3rd do. 2nd do.	6	7	68
do. do. do. 4th do.	8	18	66
Total ...	103	122	322

which shows that in the greater number of cases both partie entered a personal appearance.

11. The average duration of Suits in the Deputy Commissioner, Extra Assistant Commissioner, 1st Class, 2nd

Grade, and Extra Assistant Commissioners, 3rd Class 2nd, 3rd, and 4th Grade Courts, is shown in the following table:--

Official Designation	1867		1868		Improvement.		Deterio ration	
	Months.	Days.	Months.	Days.	Months.	Days.	Months.	Days.
Deputy Commissioner	1	...	...	9	...	21.	...	...
Ex Asst. Commr 1st Class 2nd Grade Offg do do	...	21.7	...	21.5	...	.2	...	...
Ex. Asst. Commr 3rd Class 3rd Grade Offg. do. do.	...	12 3	...	6.9	...	5.4	...	...
Ex. Asst Commr. 3rd Class 2nd Grade	...	15.5	...	17 8	...	...	...	2 3
do do 4th Grade	...	13.7	...	15.	...	...	...	1.3
Average total ...	...	18.6	...	14.04	...	4.5	...	...

showing an improvement of 4.5 days in the District.

The improvement in the Deputy Commissioner's Court is large, and owing chiefly to the great and unavoidable delay in one case in 1867.

The deterioration in the Aeng and Cheduba Courts is slight.

General Observations.

During the year, three out of the 15 certificated pleaders in the District in 1867 have died, the remaining men are those 12 who have passed the prescribed examination—No complaints have been made against these pleaders during the year, of any malfeasance in their professional duties; of these pleaders Shwè Oung appears to be the best acquainted with his profession and law.

An examination for 3rd Class Pleader was held on the 15th October 1868, but only one candidate presented himself for examination, but he failed to attain the necessary marks required to pass.

The existing 12 pleaders seem amply sufficient for the law requirements of the District, but of course this is no reason why candidates should not come up for examination if they choose.

13 Deeds were registered this year, all being permanent conveyance of land. The increase in the number registered this year is owing to instruction being given to the different Thoogyees to make no changes in the names of owners of land, entered in their Land Assessment register without getting orders from the Deputy Commissioner to do so.

This occasioned any purchasers of land to apply to have their names entered as owners in the said Register, and when said application was made they were advised to register the deed of sale, and as the Registry Fee was small-- this advice was acted upon—Years ago the late Major T. P. Sparks took great pains to have only the real owners of the land entered in the Thoogyee Land Assessment Register which being done he ordered no change to be made without the permission of Deputy Commissioner in those names; this excellent provision had fallen into disuse and accidentally coming to know of it, Captain Plant directed the old order to be again attended to, supplementing the same with the advice to register the deed of sale.

This it is hoped will act as the thin end of the wedge and show the people the great use and protective importance of registering deeds of conveyance.

No Suit was either instituted or defended in the District during 1868 on the part of Government.

The Registers of the different Courts are all well kept up to date—those of the Lower Courts have been inspected by the Deputy Commissioner during the year and have been neatly, cleanly and carefully written, and are a credit to the different writers of those Courts -when any mistakes or misunderstanding were detected or found to exist they were pointed out or explained.

The Registers of the Courts were inspected by the Deputy Commissioner as follows :—

Cheduba	E. A. Commissioner's Court,	in	March 1868.
Ramree	Do.	Do.	March and October.
Aeng	Do.	Do.	November.
Kyouk Phyoo	Do.	Do.	Monthly.

The Registers of the Deputy Commissioner's Court were inspected by the Commissioner in March and December 1868.

The Library Books are in good preservation, kept in order and Catalogue written up.

The Records have been arranged —those selected for destruction have been burned after careful inspection by the Deputy Commissioner in his presence.

The Record room is a masonry building and kept as neatly and orderly as well could be.

The Commissioner was pleased to express his satisfaction on the occasion of his inspection on the 21st December 1868.

The Nazir is under good and tangible security to the amount of Rs. 2,000, the same being in landed property.

REPORT.

OF THE

DISTRICT MAGISTRATE OF SANDOWAY.

For 1868.

From J. K. Macrae, Esquire, Deputy Commissioner, Sandoway, to the Commissioner of Arakan, Akyab No. 6, dated Sandoway, the 23rd Jan. 1869.

1st. Report on Civil Justice in the District of Sandoway for the year 1868.

2nd. Captain W. W. Pemberton held the Office of Deputy Commissioner of the District, from 1st January to 31st December, and sat 142 days for the disposal of Civil business.

Moung Tha Dway, was Extra Assistant Commissioner 2nd Class, from the 1st to 12th January, and from 14th March to the 31st December

Moung Shwè Boo, Extra Assistant Commissioner 3rd Class, Northern Township, Officiated in the Court of the Extra Assistant Commissioner 2nd Class, from 13th January to 13th March, in addition to his own duties.

Moung Shwé Boo, held the appointment of Extra Assistant Commissioner 3rd Class, for the Northern Township; and Moung Kyahoung, that of Extra Assistant Commissioner 3rd Class, for the Southern Township, from the 1st January to 31st December.

The following was the state of Regular files on the 1st January 1868 and 1st January 1869.

	1868	1869
Captain W. W. Pemberton Dy. Comr. { Appeals.	...	...
Captain W. W. Pemberton Dy. Comr. { Original.	...	...
Moung Tha Dway Ex. Asst. Comr. 2nd Class	...	1
Moung Shwè Boo Offg. ditto	...	...
Moung Shwè Boo Ex. Asst. Comr. 2nd Class Northern Township	...	...
Moung Kyahoung do Southern Township	...	...
Total	...	1
Increase	...	1
Decrease	...	...

The number of Regular Suits and Appeals instituted during the past 2 years as below, shows a decrease of 81 cases in the year under review.

	1867	1868
Deputy Commissioner's Court { Appeals,	46	44
Deputy Commissioner's Court { Original.	...	...
Court of Extra Assistant Commissioner 2nd Class	167	204
Court of Northern Extra Asst. Comr. 3rd Class	203	96
Court of Southern Ditto	93	84
Total	509	428
Increase	...	...
Decrease	...	81

One Original case was tried in the Deputy Commissioner's Court but as it was instituted in that of the Extra Assistant Commissioner 2nd Class, it is omitted from this Statement.

The decrease is principally in the Northern Extra Assistant Commissioner's Court, and is caused by the great stimulus given to litigation in that the year before last by the extraordinary high price of paddy, and small contractors for that article refusing to fulfil their agreements, it will be remembered that in that year the number of cases rose from 128 to 203.

The number of Regular Suits and Appeals decided on trial and finally disposed of during the years 1867 and 1868 is as follows and shows a Decrease of 83 cases decided on trial and of 88 finally disposed of during the year under review :-

	1867.		1868.	
	Decided on Trial.	Finally disposed of.	Decided on Trial.	Finally disposed of.
Deputy Commissioner's Court:	45	50	41	45
2nd Class Ex.Asst. Commissioner's Court.. .	133	168	149	202
Northern 3rd Class Ex. A. Comr's. Court.	168	204	80	96
Southern Do. Do. .	51	93	44	84
Total.	397	515	314	* 427
Increase	..	...	..	.
Decrease	..	..	83	88

* This is inclusive of one case transferred to the Deputy Commissioner's Court

The state of the files as regards Suits and Appeals pending above one year stood on the 1st January 1868 and 1st January 1869 as follows:—

	1868	1869
Deputy Commissioner's Court...	... 0	0
2nd Class Extra Assistant Commissioner's Court ...	... 0	0
Northern 3rd Class Assistant Commissioner's Court	... 0	0
Southern do do	.. 0	0
Total	... 0	0
Increase...	0	0
Decrease...	0	0

BLANK.

The state of the Miscellaneous files on the 1st January 1868 and 1st January 1869 was as follows:—

	1868	1869
Deputy Commissioner's Court...	... 0	0
2nd Class Extra Assistant Commisioner's Court.. ...	.. 0	2
Northern 3rd Class Extra Assistant Commissioner's Court ...	.. 0	0
Southern do. do	.. 0	0
Total	0	2
Increase	... 0	2
Decrease	... 0	0

The following Statement shows the number of Miscellaneous cases instituted and disposed of in the years 1867 and 1868 as also the number of cases of above one years standing, at the close of these years respectively:—

		Instituted.	Disposed of by an order on their merits.	Finally disposed of.	Pending above one year.
1867	Capt. W. W. Pemberton Dy. Commissioner	16	12	16	..
	Moung Tha Dway Extra Assistant Commissioner 2nd Class . .	133	135	135	...
	Moung Shwè Boo Offg. do .				
	Moung Shwè Boo Northern Extra Assistant Commissioner 3rd Class ...	66	66	66	.
	Moung Kyahoung Southern do ...	8	5	8	...
	Total ...	223	218	225	...
1868	Capt. W. W. Pemberton Dy. Commissioner	7	5	7	...
	Moung Tha Dway Extra Assistant Commissioner 2nd Class	176	68	174	...
	Moung Shwè Boo Offg. do ..				
	Moung Shwè Boo Northern Extra Assistant Commissioner 3rd Class	15	3	15	...
	Moung Kyahoung Southern do ..	12	7	12	...
	Total ...	210	83	208	...
	Increase ...	...	...	...	...
	Decrease ...	13	135	17	.

A decrease in Miscellaneous Suits and Proceedings naturally follows from the decrease in Regular Cases.

The following Statement shows the work done by the Deputy Commissioner.

	Appeals.				Original.			
	Regular.		Miscellaneous.		Regular.		Miscellaneous.	
	Decided on Trial.	Finally disposed of.	Decided on Trial.	Finally disposed of.	Decided on Trial.	Finally disposed of.	Decided on Trial.	Finally disposed of.
Captain W. W. Pemberton, Deputy Commissioner	40	44	1	2	1	1	4	5

The following statement shows the number of Suits decided on Trial by each Extra Assistant Commissioner, the number of Appeals preferred from their decision and the result of those disposed of during the year are shown below:—

	1	2	3	4	5	6	7	8
	Appeals.							
	Decided on Trial.	For trial during the year.	Number confirmed.	Number reversed.	Number modified.	Number rejected.	Otherwise settled.	Pending.
Moung Tha Dway Extra Asst. Comr. 2nd Class.	126	27	19	3	3	...	2	...
„ Shwè Boo Offg. ... Do. ...	23	3	1	1	1	...	...	...
„ Shwè Boo Extra Asst. Comr. 3rd Class	80	8	2	5	1	...	...	...
„ Kyahoung Do. Do. ...	44	6	1	2	1	1	1	...
Total...	273	44	23	11	6	1	3	...

The following Statement shows the Cases in which the parties were personally present before the Court :—

	In which Plaintiff was personally present before the Court.	In which Defendant was personally present before the Court.	In which both parties were present before the Court.
Deputy Commissioner's Court ,, ...	.....	.....	1
2nd Class Ex : Asst: Comr's. Court ,...	37	5	145
Northern 3rd Class do. ...	13	.....	79
Southern 3rd Class do. ...	31	9	44

The average duration of Suits in the Deputy Commissioner's and Extra Assistant Commissioner's Courts are as follows :—

	1867.		1868.		Improvement.		Deterioration.	
	Months.	Days.	Months.	Days.	Months.	Days.	Months.	Days.
Deputy Commissioner's Court { Appeal. ...	...	17	..	9	...	8	..	..
Deputy Commissioner's Court { Original. ...	1	.	.	10	.	20	...	...
2nd Class Extra Assistant Comr's. Court ...	..	8	...	10	...		...	2
Northern 3rd Class do. .	..	6	.	9	..	...	...	
Southern 3rd Class do. ...	...	10	.	9	...	...	...	1

There were no cases on the files of any of the Courts for upwards of a year.

There was no case in which Government was a party.

Five persons only have been imprisoned for debt during the year and no one remained in custody at the close of the year.

No Cases have been referred to arbitration from any of the Courts of this District.

There have been no deeds Registered during the year; the only papers registered are two powers of Attorney.

I have examined the register of deeds (one Book has hitherto been kept for all, as the entries are so few in number) and found it in good order.

Pleaders practising in the Courts are five in number, all 3rd class; no fresh Candidates presented themselves for examination.

The Registers of the Court of the Extra Assistant Commissioner 2nd Class are kept up and in good order, the writer has not personally examined the others.

The Security of the Bailiff is good.

The library books entered in the Register are filed and in good order.

The Records are filed up to 1868 and the Gazettes filed regularly.

The Subordinate Judges are named in the 2nd para of this report; the writer having taken charge of this District only on the 8th instant, is not in a position to report on their characters, but the late Deputy Commissioner's opinion of them will be found in his report of last year when they occupied the same positions as at present.

The new Stamp Act works well except that owing to the very large range in the denominations of Stamps required for plaints under its operation there is a difficulty in at all times keeping up the supply at the remote Stations, and it has been found necessary sometimes to use two Stamps to make up the exact value. A portion of the decrease in the number and value of Suits instituted this year may be due to the enhanced value of Stamps on plaints, which only operated on a portion of last year, but I do not think it has affected litigation much. The Annual Returns submitted herewith contain all further information requisite, and there is nothing in their contents to call for particular comment.

There was no case in which the parties were English and the document in that language.

The following Statement shows the result of applications for Execution in Civil Suits in the Courts of Sandoway District for the year 1868.

1	2	3			4		5	6	7	8	9	10	11
TOWNSHIP.	Number of applications.	Amount of Decree in value of Property Decreed			Costs of Execution.		Recovered in full through Bailiff.	Recovered in part through Bailiff.	Imprisoned	No Assets, Judgment debtor discharged.	Struck off, Judgment debtor not found.	Struck off through decree holders fault or desire	Transferred to other Courts or pending.
Northern Township.	12	374	5	1	37	...	3	9	1	1	...	...	1	...
Central Do	161	5,861	3	2	409	2	9	50	67	4	...	...	36	2
Southern. Do.	10	300	6	1	40	5	...	5	3	...	...	1	1	...
Total...	183	6535	14	9	486	8	...	84	71	5	...	1	40	2

SANDOWAY,
Deputy Commissioner's Office.
The 23rd January, 1869.

J. K. MACRAE,
Deputy Commissioner.

REPORT

OF THE

DISTRICT MAGISTRATE OF RANGOON

For 1868.

STATEMENT No. I.

1,918 Civil Cases were instituted in all the Courts during the year—14 over last year and 134 over the year 1866. In Appeals the Cases are 91 or 10 less than last year.

CASES INSTITUTED

	APPEALS	ORIGINAL.
1867	101	1,904
1868	91	1,918
Decrease	10	Increase 14

MISCELLANEOUS.

	CASES
1867	337
1868	397
Increase	60

2. Number of Miscellaneous Suits is noted in the margin shewing an increase of 60 cases.

3. The Deputy Commissionér is glad to find a Decrease in Appeal Cases,—doubtless the reason is attributable to the subordinate Judges being better acquainted with our systems, and to the fact that litigation is more expensive than formerly. The Pleaders again have been severely checked for bringing up groundless Appeals and threatened with suspension.

PENDING CASES.

4. In Original Cases only 33 cases were pending in all the Courts against 102 last year. 7 Appeals were pending this year against none last. The Deputy Commissioner was ordered away from Rangoon on duty to the Frontier on the 12th of December, these Appeals shown as Pending for the year under review were instituted during his absence before the close of the year and he was of course unable to take them up.

CLASSIFICATION OF CASES.

STATEMENT No. II.

APPEALS.

5. Appeals regarding immoveable property amounted to 26 against 31 in 1867, the difference is so small that special notice is not called for.

6. Appeals against Decrees for moveable property number 65 against 70 the previous year.

ORIGINAL SUITS.

7. In all the Courts 1918 cases were instituted, only one case was heard by the Deputy Commissioner—this case was received by transfer from Prome by order of the Chief Commissioner, the case was for a large amount and tried in "*forma pauperis*"—the Plaintiff lost his case. The Assistant Commissioners disposed of 81 cases, the remainder were disposed of by the Natives Judges of the country.

DETAIL OF SUITS.

STATEMENT No. III.

APPEALS.

8. The Deputy Commissioners disposed of 84 Cases. In 40 Cases the orders of the lower Courts were reversed, in 38, upheld, 2 were compromised, 4 withdrawn, leaving 7 pending as shewn in Statement No. I. nearly 50 per cent of the lower Courts orders were reversed.

ORIGINAL CASES.

9. 1,987 Cases disposed of during the year against 1,878 during the previous, showing an increase of 109 Cases - 755 Cases were in favor of the plaintiff or 38 per cent.—only 183 in favor of defendant—this shews that the Burmese do not generally go to Law without good grounds; besides the decrees actually obtained in hearings, 155 ex-parte decrees were given in favor of plaintiff. In 141 Cases compromises were filed, 753 were either dismissed or withdrawn, 689 of them before the Extra Assistant Commissioner's Courts.

APPEALS

From each of the Subordinate Courts

10. From the decisions of the Courts Subordinate to the Deputy Commissioner 91 Appeals were preferred—Below is a tabular Statement showing the number of Appeals from each Court.

Courts.	No. of Appeals.	Decree of Lower Courts confirmed.	Decree of Lower Courts reversed or modified.	Otherwise disposed of.	Pending.
Assistant Commissioner, Rangoon.	7	2	3	...	2
Ditto. Yandoon Sub-Division.	5	2	2	..	1
Ditto. Rangoon (Lt. Evanson.)	2	2		..	...
Extra Assistant Commissioner 1st Class of Pegu Sub Division.	13	1	12	...	..
Myo Oke of Pegu E. A. Commissioner 3rd Class.	2	...	1	...	1
Do. of Zynsganyne.	9	6	1	1	1
Do. of Angyee.	16	9	6	1	...
Do. of Twantay.	10	6	3	1	...
Do. of Hmaubee.	4	2	1	1	...
Do. of Thanlyne.	14	5	7	.	2
Do. of Hlyne.	4	2	1	1	..
Do. of Pyapon.	5	1	3	1	...
TOTAL.	91	38	40	6	7

Mr. Lonsdale Assistant Commissioner Rangoon disposed of 8 Cases; 7 Appeals were preferred against his decisions—in 2 they were upheld and in 3 modified or reversed leaving 2 pending at the close of the year.

Captain Prendergast tried 56 cases, 5 were Appealed, his decisions were upheld in 2 and reversed or modified in 2 leaving one pending.

Lieutenant Evanson tried 11 cases and 2 Appeals were filed, his decrees were upheld in both.

The Extra Assistant Commissioner 1st class tried 187 cases; in 13 cases his decisions were appealed against or over

6 per cent in 12 cases his decrees were reversed or modified—and in only one case was his decision confirmed.

Before the Extra Assistant Commissioners 3rd class, 1,724 cases were tried, 64 were appealed or a little over 3 per cent. The greatest number of Appeals were from the Extra Assistant Commissioner of Angyee Township, and the least from the Extra Assistant Commissioner of Pegu.

STATEMENT No. IV.

Duration of Suits

11. During 1868, the average duration of Civil Suits was 17 days, the tabular Statement below for the current year shews an average of only 13 days which the Deputy Commissioner considers satisfactory.

Names of Townships and (Myo Okes) Extra Assistant Commissioners 3rd Class.	Regular Suits.		Miscellaneous Cases.	
	Month	Days.	Month	Days.
Pegu...Moung Shwè Thee Galay...	...	14	...	9
Zynsganyne—Moung Pan Byen...	...	20	...	10
Pyapong—Moung Tsau Tha.	...	14	...	10
Angyee—Moung Shwè Ah.		9	...	9
Twantay—Moung Wyke	...	13	...	11
Hmaubee Moung Doon	...	9	...	9
Thanlyne—Moung Tha Doon Oung.	...	11	...	12
Hlyne—Moung Galay.	...	14	..	10
Total average of 8 Extra Assistant Commissioners...	...	13	...	10

In the Extra Assistant Commissioners' Courts, the average is 13 against last year.

DURATION OF APPEALS.

12. The duration of Appeals before the Deputy Commissioner was 27 days for the current year against 40 days last year—there is no difficulty in disposing of Appeals rapidly but during certains seasons of the year communication with the subordinate

judges is very difficult and cases are frequently postponed, because the proceedings have not arrived on the day fixed for hearing of Appeals. The Deputy Commissioner has fixed two days for this duty, Wednesday and Saturday.

13. The total value of Appeal Suits amounted to Rs. 21,474 in 1867 but Rs. 17,719 during the current year—shewing a Decrease of Rs. 3,755; no particular cause is assignable.

VALUE OF SUITS.

1867	.. ..	Rs. 21,474
1868	.. ..	,, 17,719
	Decrease Rs.	3,755

In Original Suits value amounted in 1867 to Rs. 1,88,150 against Rs. 1,72,910 this year, shewing also a Decrease of Rs. 15,240.

1867	.. ..	Rs. 1,88,150
1868	.. ..	,, 1,72,910
	Decrease Rs.	15,240

The total value of Suits in Miscellaneous Suits amounted to Rs. 67,232 in 1867 against Rs. 63,366 during the current year shewing a Decrease of Rs. 3,866.

1867	.. ..	Rs. 67,232
1868	.. ..	,, 63,366
	Decrease Rs.	3,866

14. The value of Stamps on Law Papers including Appeals, Original and Miscellaneous Cases was 19,857 in 1867—it amounted to Rs. 20,797 for the current year; there was only a difference of 13 cases which will probably account for this increase—the Percentage from Stamps is 17 per cent on the amount sued for in Regular Suits and Appeals with Miscellaneous Cases.

VALUE OF STAMPS ON LAW PAPERS.

1867	.. ..	Rs. 19,857
1868	.. ..	,, 20,797
	Increase Rs.	940

AMOUNT OF COSTS.

15. The total costs incurred by parties amounted to 27,663 against 26,466 last year.

1867	.. ..	Rs. 26,466
1868	.. ..	,, 27,663
	Increase Rs.	1,197

REGISTERS OF TOWN LOTS.

16. The Deputy Commissioner examined the Registers—his remarks on the manner in which they are kept will be found on a separate paper. Mr. Evanson had great trouble in bringing these Books into order, he has succeeded in doing so to the credit of himself and the benefit of the public.

REGISTERS OF DEEDS.

17. A separate report is drawn up under this head.

18. 19 Cases were referred to Arbitrators through the Court—against 18 last year, the Cases referred are those generally which involve a careful enquiry into accounts. 15 were referred privately and the award sought to be established by the Court, 13 were similarly disposed of last year.

ARBITRATION

19. The Deputy Commissioner does not think the Burmese, so long as they can get speedy orders regarding their Cases care much about Arbitration, they would rather see their Cases disposed of by our Regular Courts; it is only when delay in disposing of Cases takes place that the suitors consent to private Arbitration. It was at one time thought that by resorting to private Arbitration that the costs of Stamps would be avoided; for instance, in many Cases the Deputy Commissioner found that the disputants had frequently drawn up Agreements on plain paper and included a clause to the effect that should either party ever proceed to law he should pay the stamp paper which was payable on the document, the result was that in cases when one of the parties did appear before the courts his claims were frequently thrown out, because he had intentionally, avoided the stamp dues as was evident from the wording of the Agreement brought forward to support a claim.

20. 389* Applications for Execution of Decrees were filed against 337 the previous year naturally most of the applications were before the Myo Okes or Extra Assistant Commissioners. 17 persons were imprisoned in the Civil Gaol as Judgment debtors —this is a small number, they seldom remain more than one month in Gaol, as shewn in a former portion of this Report it is shewn that 1987 Decrees were issued during the year; in 16 per cent therefore further steps were necessary before the Original decree of the Court was carried out.

EXECUTION OF DECREES.

* Exclusive of 13 pending last year.

Report on Books and Registers.

The Register Books of the Registrar of Town lots have been very carefully and clearly kept during Mr. Evanson's incumbency of Office; the rules are strictly carried out.

Additional Section.

Registration of Deeds.

21. In comparing the Documents Registered last against the number of those Registered in the present year, the Deputy Commissioner finds as follows :

1867	Permanent Conveyance	598	
1868	Do.	390	
	Decrease		208
1867	Temporary Conveyance	544	
1868	Do.	407	
	Decrease		137
1867	General Conveyance	51	
1868	Do.	52	
	Increase		1
1867	Wills	0	
1868	Do.	3	
	Increase		3

22. The amount of Fees received comes to Rs. 2,292 out of this Sum one fourth was paid to the Clerk. The Assistant Commissioner has to supply the Books and Stationary. The cost of these in 1868 comes to Rs. 15.

23. The Register Books are all up to date as well as the Indices. Mr. Lonsdale has exerted himself in a creditable manner to bring up these Books up to date.

24. There is a large Decrease in Registration by Permanent and Temporary Conveyances. The Deputy Commissioner attributes the cause to the very high interest demanded on Money—and to the general scarcity of money in the market which has existed throughout the year.

25. The Deputy Commissioner has examined the records of the Assistant Commissioners and finds that they are kept well up to date—in Mr. Lonsdale's Court the Signature of the Officer trying the Case in the last column was wanting this has been noticed and will be rectified.

Statement of Registration of Deeds, Rangoon District Pegu Division, for 1868.

Station where there is a Registering Officer.	No. of Deeds registered.					Name of Registering Officer.
	Permanent Conveyance.	Temporary Conveyance.	General Conveyance.	Wills.	Total.	
Rangoon	390	407	52	3	852	Mr. D. F. Lonsdale.

REPORT

OF THE

CANTONMENT MAGISTRATE OF RANGOON

For 1868.

From W. E. HUGHES Esq., Cantonment Magistrate, to the Commissioner of Pegu, Rangoon, No. 14, dated Rangoon the 15th February 1869.

In forwarding the Civil Returns for the year 1868, I have the honor to report the different changes in the Presiding Officers during the year.

1. The Office of the Judge of the Cantonment Small Cause Court was held by Major Duff from 1st January to 2nd July and by Captain Lloyd from 3rd to 15th July by Major Duff from 16th July to 1st December and by myself from 2nd to 31st December 1868.

2. The number of Suits instituted during the year was 236 a decrease of 39 as compared with the former year and the value of the property litigated was Rs. 10,734-8-5 against 12,605 the previous year and thus showing a decrease of Rupees 1871.

3. The value of Stamps filed was Rupees 966 being a decrease of Rs. 139 as compared with the previous year while the costs were 356-6.

4. Of the 236 Cases 59 was given in favor of Plaintiffs, 27 in favor of Defendants, exparte decree 105, compromised 10, withdrawn or dismissed 35 and one pending at close of the year.

Execution was taken out in 67 cases.

The average duration of Cases was one day and detention of Witnesses one day.

The Civil Returns call for no particular remarks.

REPORT

OF THE

DISTRICT MAGISTRATE OF BASSEIN.

1. The following Table shows the number of suits Appeals Original and Miscellaneous instituted, disposed of and pending at the close of the year as compared with 1867.

	No of cases pending at close of 1866 and 1867				No. of cases instituted during 1867 and 1868.				No. of cases disposed of during 1867 and 1868.				No. of Cases pending at close of 1867 and 1868.			
	Appeals.	Original (Reg. Suits.)	Miscellaneous.	Total.	Appeals.	Original.	Miscellaneous.	Total.	Appeals.	Original.	Miscellaneous.	Total.	Appeals.	Original.	Miscellaneous.	Total.
1867	4	16	1	21	115	2,774	545	3,434	112	2,759	538	3,409	7	31	8	46
1868	7	31	8	46	121	2,736	524	3,381	117	2,754	523	3,394	11	13	9	33
Increase	3	15	7	25	6	0	0	0	5	0	0	0	4	0	1	0
Decrease	0	0	0	0	0	38	21	53	0	5	15	15	0	18	0	13

2. The above comparative statement shows a decrease of 53 suits of all sorts instituted, a decrease of 15 suits disposed of, and also a decrease of 13 pending suits. The greatest falling off in suits has been in the Assistant Commissioner's Court at Bassein (Head Quarters.) In 1867—469 cases were instituted: In 1868 only 289, showing a decrease of 180 cases viz 140 original and 40 miscellaneous.

In the Extra Assistant or Tsitkay's Court which is likewise at Head Quarters. In 1867 there were 546 cases in 1868– 644 or an increase of 98 cases viz: 61 civil and 37 miscellaneous. If the two courts were lumped together the re-

sult would be 1867—1015 cases and 1868—933, or 82 cases less this year viz: 79 civil and 3 Miscellaneous. The large decrease of suits in the Assistant Commissioner's Court I attribute to an order I passed, that all suits in which *Kullas* were concerned should be instituted in the Assistant Commissioner's Court, and cases in which Burmans were concerned in the Tsitkay's Court I can give no reason for the decrease of 82 cases in the year at Head Quarters, I suppose it may be put down to there being less matter for litigation than in the years previous.

3rd—The following Table will show the number of Civil Original Cases decided in each of the Subordinate Courts, the number of appeals from each court and the result.

Courts.	Cases decided.	Total appeals preferred during 1868 and pending from previous year.	Confirmed.	Reversed.	Modified.	Rejected.	Otherwise settled.	Pending at close of 1868.
Assistant Commissioner.	230	19	6	4	...	5	4	...
Extra Assistant Commissioner Ngathaing khyoung...	215	7	2	...	...	...	3	2
do. Bassein.. ...	511	38	19	7	1	3	4	4
do. Pantanau. ...	244	9	3	5	...	...	1	...
Laymyethna Myo Oke.	303	13	4	6	...	3	...	...
Yaigyee do.	428	22	5	9	...	2	4	2
Tsabayon do.	163	7	2	5	. .	...	...	...
Theegwen do.	199	3	. .	1	...	...	1	1
Shwè Loung do.	220	.....	...	...	...	...	...	...
Myoung Mya do.	94	1	...	1	...	...	...	...
Nga Pootan do.	103	3	1	1	...	...	...	1
Kyoung Tha do.	44	6	1	4	...	...	...	1
TOTAL...	2,754	128	43	43	1	13	17	11

The result of the Appeals from the Courts of the Kyoungtha, Myoung Mya, Theegwen, and Tsabayon, Myo Okes is not favorable. The Assistant Commissioner and Extra Asst. Commissioner of Bassein and Laymyethna Myo Oke are very favorable. The percentage of Appeals from decisions is very small throughout with the exception of the Kyoungtha Myo Oke's Court. From the Extra Asst. Commissioner's Court at Ngathaing Khyoung there were seven Appeals 2 were confirmed, 2 compromised, 2 remanded and 2 pending at the close of the year, the result is favorable.

4. The following Table will show the number of Civil and Miscellaneous Cases instituted in each subordinate Court in the District, the number disposed of, and those pending at the close of the year.

Courts.	Instituted in 1868 including pending from last year.			Disposed of			Pending at close of 1868.		
	Civil	Miscellaneous.	Total.	Civil.	Miscellaneous.	Total.	Civil.	Miscellaneous.	Total.
Asst. Commissioner Bassein ...	231	65	296	230	65	295	1	...	1
Extra Asst. Do. Ngathaing...	217	42	259	215	38	253	2	4	6
Do. Do. Bassein ...	512	140	652	511	140	651	1	...	1
Do. Do. Pantanau ...	245	47	292	244	45	289	1	2	3
Laymyethna Myo Oke	310	39	349	303	36	339	7	3	10
Yaigyee Do.	429	68	497	428	68	496	1	...	1
Tsabayon Do.	163	29	192	163	29	192	...	...	...
Thee Gwen Do.	199	28	227	199	28	227	...	...	...
Shwé Loung Do.	220	19	239	220	19	239	...	...	...
Myoung Mya Do.	94	8	102	94	8	102	...	...	...
Nga Pootan Do.	103	22	125	103	22	125	...	...	...
Kyoungtha Do.	44	...	44	44	...	44	...	...	...
Total.....	2767	507	3274	2754	498	3252	13	9	22

The Laymyethna Myo Oke is the only one who shows a large number of cases pending. I have gone over his returns and find that five out of the 7 Civil cases were instituted after the 22nd December; the remaining 2 he might have disposed of, one was instituted on the 10th November and the second 7th December, he has been called upon to explain cause of delay in these 2 cases.

5. The following comparative Statement will show the number of Civil Original Suits instituted in each Court with Increase and Decrease :—

Courts.	1867	1868.	Increase.	Decrease.
Deputy Commissioner.	1	...	...	1
A. Commissioner, Bassein. ...	365	225	...	140
E. A. Commissioner, Ngathaing Khyoung.	...	217	217	...
E. A. Commissioner, Bassein. ...	443	504	61	...
E. A. Commissioner, Pantanau. ...	228	243	15	...
Laymyethna Myo Oke.	372	303	...	69
Yaigyee Do.	490	424	...	66
Tsabayon Do.	196	160	...	36
Thee Gwen Do.	205	199	...	6
Shwè Loung Do.	222	220	...	2
Myoung Mya Do.	88	94	6	...
Nga Pootan Do.	105	103	...	2
Kyoungtha Do.	59	44	..	15
TOTAL.	2,774	2,736	299	337

The largest decrease it will be observed is in the Assistant Commissioner's Court; I have given reason for the decrease in a previous para :—There is an increase of 217 cases shown under Ngathaing Khyoung; this Court was only opened in the commencement of the year, and drew away a number of litigants from Laymyethna, Yaigyee and Tsabayon, being more central; it will be observed that there is a decrease of 69 Suits in Laymyethna, 66 in Yaigyee, and 36 in Tsabayon; the total being 171, deduct from 217 instituted in the Extra Assistant Commissioner's Court at Ngathaing Khyoung and there is an increase of 46 Suits.—The decrease at Kyoungtha is large in comparison to the number of Suits generally instituted in that Court, the Myo Oke gives no reason for the excessive decrease which is just above 25 per cent.

6. The following is a classification of appeals and original suits instituted before all the Courts in the Bassein District during the year 1868 as per Col. 6 & 7 of Statement No. 1.

	Appeals.						Original.					
	Deputy Commissioner.	Asst. Commissioner.	Ex. Asst. Commissioner.	Tsitkay.	Myo Okes.	Total.	Asst. Commissioner.	Ex. Asst. Comm'r. Ngathaingkyoung.	Ex. Asst. Comm'r. Bassein.	Ex. Asst. Commissioner Pantanan.	Myo Okes.	Total.
I SUITS CONNECTED WITH IMMOVEABLE PROPERTY.												
1. Houses	10	...	...	...	...	10	...	...	11	4	6	21
2. Land	14	...	...	...	...	14	4	7	11	4	26	52
3. Mortgages	1	...	...	...	...	1	2	...	...	...	1	3
4. Fisheries	2	...	...	...	...	2	...	3	...	...	11	14
5. Inheritance	...	...	...	...	...	...	...	1	1	...	1	3
6. Other Cases	1	...	...	...	...	1	...	...	...	...	2	2
II SUITS NOT CONNECTED WITH IMMOVEABLE PROPERTY.												
1. Debt	35	...	...	...	...	35	162	15	193	68	501	849
2. Damages for Breach &c, &c.	...	...	...	...	...	...	15	50	191	...	105	361
3. Do. for personal injury &c.	13	...	...	...	...	13	3	16	75	38	282	414
4. Marriage or Divorce ...	...	...	...	...	...	...	4	7	86	27	145	269
5 Inheritance	2	...	...	...	...	2	...	1	4	2	13	20
6. Other Cases.	43	...	...	...	...	43	35	117	22	100	454	728
Total ...	121	...	...	...	...	121	225	217	504	243	1547	2736

Out of this number viz: 2736 cases, 194 were decided by arbitrators, giving a percentage of 8.

7. The following statement will show cases referred under section 312 and filed under section 327, also classification of the cases:—

Referred by Court under Section 312.	Award filed under Section 327.	*Classification of cases in two previous columns.*					
		Divorce.	Inheritance.	Defamation or personal injury.	Debts.	Award confirmed.	Award set aside.
144	50	96	4	46	48	193	1

Divorce cases it will be seen make up half the cases that go up before arbitrators, there are hundreds and hundreds of cases which never come before the Courts, but are settled by private arbitration; the parties agree to abide by the finding of a couple of elders; it is done on the spot, the losing party pays down whatever the claim was against him and there is nothing more about it. If the arbitrators are not exorbitant in their Yan-Poozan demands the people prefer settling their disputes amongst themselves to going to the expense of paying for stamps, and being done in different ways by the Shainais who flock about the Courts.

8. The following statement shows execution cases:—

1. No. of (Miscellaneous cases) Execution of civil side decrees in 1868 423

2. { *a*. No. of suits against property... 328
   { *b*. Against the person... 95

3 { *a*. No. in which property has been sold under Decree 228
  { *b*. No. in which Defendants have been incarcerated. . 10

No. of applications for execution, including pending last year.	No. of decrees completely executed.	No. of decrees partially executed.	Pending at the end of the year.	No. of cases in which specific performance was enforced.	Sales of real property.	Sales of personal property.	Sequestration of real property.	Imprisonment.
423	328	30	9	...	183	45	...	10

9. The compartive average duration of suits in the Deputy, Assistant, Extra Assistant Commissioners and Myo-Okes Courts is shewn in the following Table:

Courts &c.	1867.		1868.	
	Months.	Days.	Months.	Days.
Appeals.				
Deputy Commissioner	2	26	2	10
Regular Suits.				
Deputy Commissioner	1	4	...	...
Assistant Commissioner.	...	9	...	10
Extra Assistant Commissioner, Ngathaing Kyoung.	...	...	....	8
Do. do. do. Bassein...	...	10	...	9
Do. do. do. Pantanau	...	4	...	5
Laymyethna Myo Oke	...	5	...	10
Yaigyee do.	...	14	...	12
Tsabayon do.	...	9	...	11
Thee Gwen do.	...	13	...	9
Shwè Loung do.	...	6	...	8
Myoung Mya do.	...	11	...	18
Nga Pootan do.	...	5	...	12
Kyoung tha do.	...	9	..	12

The average duration in the Deputy Commissioner's Court in Appeal cases, though 16 days less than the previous year, is again high this year, viz 70 days. The Commissioner of Pegu is kindly referred to the explanation rendered on the submission of the Civil Returns for the 2nd Quarter, the number of cases pending then on the File was 48. The cause of it was, because the Deputy Commissioner was unable to dispose of more than 11 cases during the first half year, a portion of January was taken up with the Annual Returns and Reports, immediately after that, with Revenue Settle-

ment duties, from which he was ordered to the coast to hunt up the Bandit Shwè Moung and his gang; after this expedition, and immediately on return to Head Quarters, the attack on the Treasury took place: the enquiry into which, and other cases which sprung up from it occupied some days. The following is a Memo: of work done by the Deputy Commissioner from 1st January to 30th June.

Civil Appeal Cases	11
Criminal Do.	4
Civil Mis: Do.	10
Criminal Miscellaneous Cases	11
Criminal Cases in which 253 persons were concerned	92
Witnesses examined	342
Petitions disposed of	271

Annual Civil, Criminal and Stamp Returns and Reports, Statistical Retnrns; Breaking up of the Bandit Shwè Moung's Gang; and disposal of him and his Lieut. Shwè Bwâ; to say nothing of the retaking of 3 lacs of Government money from a Band of Dacoits which certainly did not take much time but gave a good deal of work afterwards.

Revenue.

Revenue Settlement, leasing of 31,800 acres.
Disposal of Revenue Cases and Petitions 647
Revenue Reports and Returns,
Abkarree Report, Local Fund Report and return,
Statistical returns besides correspondence:

From 1st July to end of the year.

Civil Appeals	106
Criminal Do.	10
Criminal Cases in which 262 Persons were concerned	133
Civil Mis: Cases	14
Criminal Mis: Cases	26
Witnesses examined	751
Petitions disposed of	663
Report on Arms Act, Section by Section	
Revenue Cases and Petitions	895
Besides correspondence.	

10. The following is a comparative Statement of the value of Suits (appeal and original) Stamps and Costs.

	1867			1868		
Value of property in appeal cases.	17,630	6	10	12,935	14	10
The Stamps on Ditto.	1,361	4	0	1,190	8	6
And costs.	764	14	10	930	6	9
Percentage of costs on value litigated	7	11	6	9	3	2
And exclusive of Stamps	4	4	0	7	3	0
Value of property litigated in original cases was ...	1,98,547	11	5	1,62,258	0	0
Stamps on Ditto.	17,003	0	0	17,002	13	0
And costs	10,743	10	10	9,700	0	6
Percentage of costs on value litigated	8	0	0	10	7	7
And exclusive of Stamps	5	6	0	5	10	6

11. The following is the comparative detailed Statement of Deeds registered:—

Courts of	Description.	1867 No of Deeds.	1867 Value of Deeds.		1868. No. of Deeds.	1868. Value of Deeds.	
Asesistant Commissioner, Bassein.	Permanent conveyance Register ..	9	4,796	0	20	12,050	0
	Temporary Do. ...	7	1,477	6	25	26,286	0
	General Do. ...	11	2,571	10	11	2,171	0
	Register of Wills	0	0	0	1	0	0
	Total ...	27	8,845	0	57	40,507	0
Extra Assistant Commissioner. Pantanau.	Permanent Conveyance Register ...	0	0	0	3	1,688	0
	Temporary Do. ...	0	0	0	2	1,500	0
	General Do. ...	0	0	0	0	0	0
	Register of Wills	0	0	0	0	0	0
	Total	0	0	0	5	3,188	0
	Grand Total ...	27	8,845		62	43,695	0

showing a very large increase over last year. The Register Books have all been examined by me they have been kept up in strict conformity with the "Rules laid down for the Registry of Deeds in the Province of Pegu."

12. The Register Books kept up in the different courts have all been inspected by me, and found to be according to form laid down.

13. There was only one suit preferred during the year in which Government was a party and that was in the Assistant Commissioner's Court, the case was filed by the Executive Engineer against a Lime Contractor.

14. Lieutenant M. C. Poole was Assistant Commissioner throughout the year, he is a painstaking intelligent officer, with very good judgment, I am very much satisfied in the manner he has conducted his duties.

15. Mr. R Perreau was Extra Assistant Commissioner at Ngathaing Kyoung throughout the year and carried on his duties to my entire satisfaction, he is hard working, willing, and an intelligent officer, liked by the natives.

16. Extra Assistant Commissioner Moung Shwè Bo conducted his duties to my satisfaction, he had been ailing for some time and when he got very bad applied for leave and came into Bassein on the December and I am sorry to say died on the 7th January,

17. Tsitkay Moung Shwè Byah I am glad to be able to report very favorably of, he has given me entire satisfaction, he has been promoted lately to Extra Assistant 1st Grade 1st Class.

18. The Myo Okes have all performed their duties well.

REPORT

OF THE

DISTRICT MAGISTRATE OF MYANOUNG

For 1868.

EXPLANATORY.

1. Owing to the sudden departure of the Deputy Commissioner, Major Hildebrand, who was compelled by ill-health to leave for England, on the 7th February, the duty of preparing the Annual reports, has devolved, on the Assistant Commissioner Myanoung.

COURTS OF THE DISTRICT.

2. No change occurred in any of the Courts, during the year.

NO. OF SUITS BEFORE THE COURTS

3. There were 100 Suits pending from 1867 viz: 96 Appeals, 1 Original Suit, and 3 Miscellaneous cases: 3330 cases were instituted during the year.

So that the total number of cases of all sorts before the Courts was 3430.

NUMBER DISPOSED OF &c.

4. Of the above 3323 cases were disposed of, by all the Courts, leaving 107 pending at the close of the year: of these latter, 99 were Appeal cases before the District Court.

The small number pending in the Subordinate Courts is very satisfactory.

NO COMPARED WITH LAST YEAR

5. The number of cases instituted during the year, was 421 less than the number in 1867: the decrease has taken place chiefly in Suits, for damages for personal injuries, and for debt.

The following table shows the nature of the different cases, for the two years 1867 and 1868

Year	Appeals	Regular Suits	Miscellaneous Cases	Total.
1867	161	3179	411	3751
1868	139	2772	419	3330
Increase ...	...	...	8	...
Decrease ...	22	407	...	421 net.

DISTRICT COURT CASES.

6. No original suits were instituted in the District Court.

The Appeals were as follows:

Pending from 1867	96
Instituted in 1868	139
Total.....	235
Decided	136
Pending 31st December 1868 ...	99

7. The average time taken to decide these Appeals, was 5 months and 23 days. This is somewhat less than the average shown in the returns for 1867, 6 months and 29 days. The number of cases decided by the District Court too was much larger: 136 against 98: this result will it is hoped be considered satisfactory when it is recollected that, as in 1867, so during the year under report, the time of the Deputy Commissioner has been entirely absorbed, by the large amount of Criminal work, which devolved upon him. The longest time taken to decide a case was 12 months and 3 days: this was a case left pending at the close of 1867, the only explanation which can be given, of the long delay that occurred in it, is that the Deputy Commissioner was unable to take it up in the early part of the year, owing to press of other more important work. The longest period any case on the file at the close of the year has been pending is 8 months and 27 days.

8. The Number of Cases left pending at the Close of the year was 99 or 3 more than were pending in 1867.

It was a matter of great regret to Major Hilderbrand that he could not reduce this number, but he found it utterly impossible to do so.

9. There were no Miscellaneous Appeals during the year.

10. The 136 decided cases were thus disposed of

Confirmed	56
Reversed	49
Modified	12
Rejected	4
Otherwise disposed of	15

This is a slightly better result than was shown last year, but the proportion of cases in which the decisions of the Lower Courts were Reversed, is very high: the Deputy Commissioner has more than once made the remark that some of the Myo Okes cannot be brought to frame proper issues, or to decide on the issues they do frame.

SUITS IN THE SUBORDINATE COURTS.

11. The number of Regular Suits instituted in the Subordinate Courts was 2,772 one case was pending at the close of 1867. 2,766 Cases were disposed of during the year, leaving 7 Cases pending.

12. The Annexed table shows in what Courts the Cases were instituted, and how they were disposed of.

COURTS.	Number of Cases Instituted.	Decided.	Pending.	Plaintiff.	Defendant.	Otherwise disposed of.	Average Days.
Assistant Commissioner 3rd Class, (Tharrawaddy.)	43	43	..	25	4	14	7
Do. do. do. (Myan Oung.)	8	8	..	6	2	...	11
Ex. Asstt. Comr., 1st Class, 1st Grade (Henzadah.)	12	12	.	10	1	1	13
Do. do. do. do. (Donabiew.)	28	28		9	4	15	7
Do. do. 2nd Class, 1st Grade (Tseitkai.)	433	430	3	214	64	152	10
Do. do. 3rd Class, 1st Grade (Ok Phoo.)	467	467	...	194	69	204	19
Do. do. do. do. (Mongyo.)	174	173	1	51	8	114	7
Do. do. do. do. (Tsanyua.)	147	145	3	67	24	54	11
Do. do. do. 2nd Grade (Donabiew.)	297	297	.	121	55	121	7
Do. do. do. do. (Kyan Gheen.)	320	320	.	139	35	146	6
Do. do. do. do. (Henzadah.)	589	589	.	319	61	209	5
Do. do. do. 3rd Grade (Khonityna.)	184	184	...	62	1	121	3
Do. do. do. do. (Tahpoon.)	70	70	...	29	4	37	4
TOTAL.	2772	2766	7	1246	332	1188	9

13. The average duration of these cases was 9 days, which is fair. The average of the Ok Phoe and Henzadah Extra Assistant Commissioners Courts is rather higher than it ought to be; while the very low average of the Court of the Extra Assistant Commissioner, Khoonityna, would indicate a hurried procedure. The Assistant Commissioner Myanoung explains that the high average shown by him is owing to unavoidable delay which occurred in a case in which the defendant was obliged to send to a distance, for witnesses and papers. He has very few Civil cases, so that a delay in one, brings the average up very high.

14. The Miscellaneous cases numbered 419: only one case was pending at the close of the year. The average duration was six days. The Table below exhibits the details of these cases: it will be observed that the average duration of the cases in the Courts of the Extra Assistant Commissioner at Ok Phoe and Donabiew, is extremely high.

Courts.	Number of cases Instituted.	Decided.	Pending.	Plaintiff.	Defendant.	Otherwise disposed of.	Average.
Deputy Commissioner, 3rd Class (Myanoung).	33	33		2	...	31	1
Assistant Commissioner, 3rd Class (Tharrawaddy)	11	11		10	1	..	1
Do. do. do. (Myanoung)	10	9	1	3	3	36	2
Ex. Asstt. Commr., 1st Class, 1st Grade (Henzadah)	12	12	...	6	...	6	2
Do. do. do. do. (Donabiew)		.	...	.	..	...	
Do. do. 2nd Class, 1st Grade (Tseitkan)	65	65	...	65	...	...	1
Do. do. 3rd Class do. (Ok Phoe)	65	65	...	65	..	..	21
Do. do. 3rd Class, 1st Grade (Mongyo)	13	13	.	10		3	6
Do. do. do. do. (Tsamyna)	20	23	..	21	2	.	5
Do. do. 3rd Class, 2nd Grade (Donabiew)	48	48	...	41	..	7	18
Do. do. do. do. (Kyan Gheen)	56	56	.	37	4	15	1
Do. do. do. do. (Henzadah)	73	73	.	58	15		2
Do. do 3rd Class, 3rd Grade (Khoonityna)	6	6		6	.	..	1
Do. do. do. do. (Tahpoon)	7	7	.	7		...	1
Total	419	421	1	331	25	65	6

15. The Table given below shows the results of the Appealed cases which have been decided during the year: it will afford a fair idea of the working of the different Courts though not an absolutely correct one owing, to the number of cases still pending.

Courts.					Appeals from Decision.	Judgment Reversed.	Judgment Modified	Judgment Confirmed.	Rejected.	Otherwise disposed of
Assistant Commissioner, 3rd Class				(Tharrawaddy)	3		1		1	
Do.	do.		do.	(Myanoung)	1					
Ex. Asstt. Commr., 1st Class, 1st Grade				(Henzadah)	1		1			
Do.	do	do.	do.	(Donabiew)	3		2			
Do	do.	2nd Class	do.	(Tseitkai)	53	5	3	14	1	1
Do.	do.	3rd Class	do	(Ok Phoe)	118	33	2	26	1	8
Do.	do.	do.	do.	(Mougyo)	7	2	2	1		1
Do.	do.	do.	do.	(Tsanyua)	3	1		2		
Do.	do.	3rd Class, 2nd Grade		(Donabiew)	13	5		7	1	
Do	do.	do.	do	(Kyan Gheen)	15	...	1	5		4
Do.	do.	do.	do.	(Henzadah)	15	2		5		1
Do	do.	3rd Class, 3rd Grade		(Khoonityua)	3	1		1		
				Total .	235	49	12	56	4	15

The result is most favorable to the Extra Assistant Commissioner, 2nd Class, 1st Grade (Tseetkai) of Myan Oung; least so to the Extra Assistant Commissioner of Ok Phoe.

COSTS OF SUITS.

16. The per centage of costs on value of Suits was 10.1 against 20.8 in 1867 inclusive of Stamp duty; and 2.3 exclusive of it against 10.1 in 1867.

17. The value of Suits has increased—it was

In 1867	Rupees	2,01,626
In 1868	„	2,52,546
Increase	„	50,920

18. The Value of Stamps on law papers was

In 1867	Rupees	14,460
In 1868	„	19,401
Increase	„	4,941

The increase is of course due to the increased value of suits.

It is satisfactory to find the costs so small.

EXECUTION OF DECREES, &c.

19. Out of the 2,766 cases disposed of by the Subordinate courts, execution was taken out in 389, with the following results.

In 57 cases the decree was satisfied at once.

In 312 cases the property was attached and sold.

In 40 cases defendants were confined.

In 2 cases Warrants could not be executed.

Decrees were given in favor of Plaintiffs in 1246 cases; it would seem from the small number of cases, in which execution was taken out, that the decisions of the courts, are generally received as satisfactory by the losers.

20. Only 19 cases were referred to arbitration through the courts. There is no means of ascertaining the number of cases referred to arbitration without the intervention of the courts, as the decisions in these cases are never brought to the courts to be enforced.

21. The total number of persons confined in the Civil Gaol, was 40; and the longest period of confinement was 34 days.

22. The Civil Registers of the Myanoung and Tharrawaddy Divisions were inspected by the Assistant Commissioner in charge, and found to be correctly kept.

It is not known whether those of the Henzadah Division were inspected during the year.

REGISTRATION OF DEEDS.

The total number of deeds registered during the year was 71 against 68 in 1867.

No deeds have been registered in Mengyee since the office was opened.

The Registers were duly submitted to the Deputy Commissioner.

The Deputy Commissioner remarked with regard to the books of the Myanoung Office that the Certificate required by Section 60 of the rules to be endorsed on the deeds was not entered; and that a few interpolations were observable

The forms used since the Office was opened have been strictly adhered to; they are believed to be incorrect, but correct forms have not hitherto been obtained.

Report on Subordinate Courts.

On this head the present writer cannot of course say any thing.

REPORT
OF THE
DISTRICT MAGISTRATE OF PROME
For 1868.

STATEMENT No. 1.

1. The year began with 22 Appeals pending before the Deputy Commissioner, and 244 Appeals were instituted during the year, giving a total of 266.

2. For the previous year the Appeals pending at its commencement, and instituted during the year, were 189, giving an increase in the past year of 77 Appeals.

3. It is difficult to account entirely for this large increase, especially when Original Suits have decreased.

4. The increase however of suits in the Tsitkay's Court has no doubt something to do with it, there being no trouble in Appealing from his judgments; another reason given for this increase and in which perhaps there is some truth, is, that a large number of persons are endeavouring to qualify themselves as pleaders, and they by pointing out mistakes in procedure, or other matters, induce suitors to try an Appeal, where perhaps they would otherwise have remained satisfied.

5. Only one Original Suit was instituted before the Deputy Commissioner during the past year. In Miscellaneous cases, there has been an increase of 32 cases instituted in the Deputy Commissioner's Court.

6. The appeals, disposed of, have been 260 in the past year against 167 in the previous one, and there were pending at the close of 1868, 6 appeals against 22 at the end of 1867.

7. The three pending Miscellaneous Cases were in matters connected with the estates of deceased persons.

8. There was no Assistant Commissioner at Prome during the year 1867, he was appointed at the commencement of 1868 and disposed of 59 Original and 53 Miscellaneous Suits, there being pending in his Court at the close of the year 2 Original and 4 Miscellaneous Suits.

9. The Court of the Assistant Commissioner tries suits of a value above that within the jurisdiction of the Tsitkay and sometimes cases in which others than Burmans are concerned.

10. In the Court of the Assistant Commissioner at Thayetmyo there has been an increase of 12 Original Suits instituted; this is accounted for by there having been, during a portion of the previous year, an additional Assistant Commissioner at Thayetmyo in whose Court 16 suits were instituted, so that there has really been a decrease of 4 suits of a nature cognizable by the Court of the Assistant Commissioner.

11. There were no Original Cases pending in this Court at the close of the year and but two Miscellaneous Cases.

12. In the Court of the Assistant Commissioner Poungday there has been an increase of four Original suits and a decrease of two Miscellaneous, there were no cases pending at the close of the year.

13. The Extra Assistant Commissioner of Prome has done no Civil work, he was employed for a portion of the year on settlement duty and suits which used to be instituted in his Court were decided by the Assistant Commissioner.

14. In the Court of the Tsitkay there has been a large increase of 154 Original Suits and 139 Miscellaneous Suits instituted during the past year.

15. This increase is in some way accounted for by the doings of one Tsan Ya who took sums of money from a large number of people under pretence of giving them high interest and then decamped.

16. A Chinaman also borrowed money and goods from several people and absconded. There have been too a large number of Cases instituted, owing to persons residing in Upper Burma having taken Cloth goods on credit and not again made their appearance, the sufferers in this case being the small shop-keepers who get their goods from the Mogul traders. The number disposed of has just kept pace with the increase in Original suits, there being an increase of 154 Original suits disposed of. In the Miscellaneous suits 288 were disposed of in 1868 against 163 in 1867.

17. At the close of the year 6 Original suits were pending against 10 at the close of 1867, whilst 14 Miscellaneous Cases were pending against none in the previous year.

18. It has been the practice to shew no Miscellaneous cases pending although there actually are some. In cases of application for executing decree it has been used to shew the cases as finished, when an order whether for issue of Warrant or otherwise, has been passed on the Application, a practise manifestly wrong.

19. In the returns for 1867, there were shewn pending at the close of the year 56 cases in the Courts of the Extra Assistant Commissioners or Myokes; this was incorrect, the actual number was 46.

20. During the past year there have been instituted 2,005 cases against 2,305 in the previous year, giving a decrease of 300 cases.

21. No doubt one reason for this is that there was some idea prevalent in the district that persons could not decide Civil cases, where both parties consented, without the order of a Court, and that those doing so, were liable to be punished.

22. In cases connected with marriage or divorce, and frequently in simple cases of debt many persons prefer to have the matter settled by elders of the village rather than go to Court; but this for some cause or other was supposed to be illegal.

23. In Miscellaneous cases there has been an increase of 125, to be attributed mostly I think to more careful returns.

24. In the number of Original suits disposed of there has been a decrease of 258 cases which must naturally follow where there is a decrease in the number of suits instituted.

25. In Miscellaneous cases disposed of again, there has been an increase of 115, corresponding with the increase in the number instituted.

26. In pending cases there is an improvement of exactly half the number pending at the close of the previous year, whilst in Miscellaneous cases there are ten pending against none shewn in the previous returns. The reason for this being

the same as that given in the remarks on pending cases in the Tsitkay's Court Miscellaneous cases having apparently been considered of little count.

STATEMENT II.

27. In appeals in 1867 the cases connected with immoveable property exceeded those relating to moveable property, the number being as follows:—

Immoveable property...	.....	.....	106
Moveable do ...	.....	.....	78

28. During the past year there has been a decrease in suits connected with immoveable property, whilst those relating to moveable property have doubled thus.

Immoveable	.....	.....	 80
Moveable	.....	.....	 164

29. In Original suits there has been a slight decrease in those connected with immoveable property, the number being for 1867—253, and for 1868—223.

30. In matters not connected with immoveable property there has been a large decrease in suits for debts, damages for personal injuries and wrongs, matters relating to marriage or divorce, and inheritance.

31. All these are matters which no doubt many prefer to have settled by the elders of the village.

STATEMENT No. 3.

32. The results of appeals decided have been almost the same as those of the previous year, the total increase in cases decided in favor of Appellant being 50, and in favor of Respondent 51—two cases were struck off from the Appellants not being present.

33. In the Court of the Tsitkay, the increase in the cases disposed of amounts to 164 cases; the number of cases not actually brought to trial is large.

34. The large number of cases decreed ex-parte is due, no doubt, to their being principally suits brought against persons who have absconded, of whom there has been a larger number than usual during the past year

35. In the Courts of the Extra Assistant Commissioners or Myokes there is a decrease of 258 cases decided.

36. In these Courts too the numbers compromised or withdrawn or dismissed in default are very large.

37; In Miscellaneous cases there is an increase in the whole District of 300 cases disposed of, the principal increase being in the Courts of the Extra Assistant Commissioners, 2nd and 3rd Classes. As already stated this is, no doubt, principally due to more careful returns.

STATEMENT No. 4.

38. In the average duration of Appeals disposed of there has been a slight decrease during the past year, the time being for 1867 1 month and 12 days, and for 1868 1 month and 6 days.

39. The Deputy Commissioner being engaged on Settlement duty at the commencement of the year and at an out of the way part of the District, has made the average higher than it otherwise would have been.

40. There is an increase of Rs. 17,331 in the value of Appeals instituted and a consequent increase in value of Stamps and costs.

41. In the average duration of original suits disposed of there must have been some mistake in the past year's returns.

42. The method of calculating the duration of suits was, no doubt, wrong, neither the day of institution nor decision being included ; this would, of course, lessen the average to a great extent, and there is no reason to believe that the delay in disposing of suits during the past year has been longer than usual.

43. The delay in disposing of suits has been greatest in the Malathamein and Padoung Courts and least in the Shwèlay and Mengdoon.

44. There is a large increase in the value of suits instituted in the Courts of the Assistant Commissioner and a consequent increase in the value of Stamp papers filed.

45. In the Court of the Tsitkay the increase in the value of suits is very large; in that of the Extra Assistant Commissioners the value of suits instituted has decreased, but there is an increase in the value of Stamp papers filed.

46. The duration of Miscellaneous Suits was not shewn in the returns for the past year; there is a large increase in the value of these suits and some increase in the value of Stamps filed.

Execution of decrees.

47. The number of Applications for Execution of decrees has increased during the past year by 224, the numbers being for 1867—302 and for 1868—526.

48. In 149 cases there was no execution and in 345 the decrees were completely or partially executed, leaving 29 pending at the close of the year.

49. The returns for the year 1867, as has been subsequently discovered, are not to be relied on.

50. The number of persons committed to the Civil Gaol during the past year has been 73, four of whom were still in Gaol at the close of the year.

51. The longest period for which any debtor was confined was 4 months and 26 days whilst the average duration of confinement was 20 days.

52. The total amount of money claims against Civil debtors was Rs. 9,766-7 and the amount of diet money expended on those confined was Rs. 235-7 giving an average of Rs. 3-3-8 for each Civil prisoner.

53. Out of those confined 26 were released on payment of the amount claimed, 12 on account of subsistence money not being lodged, 8 as insolvents and 23 by order of the Court on some arrangement being made with the detaining creditor.

Cases referred to Arbitration.

54. During the past year 81 cases was referred to Arbitration against 66 in the previous year.

55. For 1867 there were also said to have been 17 Suits instituted to enforce private awards, but this seems doubtful; there have been none of these suits during the past year and

there are but few either private individuals or pleaders who understand the procedure in these cases.

56. Where persons go to Arbitrators of their own account they are generally either satisfied with the decision of the Arbitrators or else come to the Court and commence the suit afresh. Of the 81 cases referred to Arbitration 66 have been decided in favor of Plaintiff and 15 in favor of Defendant.

57 The average duration of these Suits has been 12 days, the value of property in dispute Rs. 10,678-8-5, value of Stamp paper filed Rs. 1,025-8, and amount of fees paid to Arbitrators Rs. 1,027-10-2.

58. The Courts in which the largest number of cases have been referred to Arbitration are Poungday, Padoung, Shwèlay and Kama, the number being as follows:

Poungday	...	25
Padoung	...	13
Shwèlay	...	13
Kama	...	13

59. The Extra Assistant Commissioners who presided in these Courts viz: Shwè Yow, Moung Tsaw, Moung Weik and Tha Htoo are no doubt as Judicial Officers the most dilatory and most deficient in knowledge of both law and procedure in the district.

Examination of Civil Registers.

60. Assistant Commissioner Thayetmyo:
Civil Regular Register, well kept.
Civil Miscellaneous do. do.

61. Assistant Commissioner, Prome:—
Civil Regular Register, well kept.
Civil Miscellaneous do. do.

62. Assistant Commissioner, Poungday:—
Civil Regular Register, correct and entries up to date.
Civil Miscellaneous Register, correct.

63. Extra Assistant Commissioner, Prome—no entries:

64. Tsitkay, Prome :
Civil Regular Register, correct and well kept.
Civil Miscellaneous Register, correct but not neat.

65. Shwè doung, Extra Assistant Commissioner's Court:
Civil Regular Register, correct and well kept.
Civil Miscellaneous Register, entries incomplete and not well kept.

66. Poungday, Extra Assistant Commissioner's Court.
Civil Regular Register, entries incomplete and carelessly kept:
Civil Miscellaneous Register, entries incorrect.

67. Padoung, Extra Assistant Commissioner's Court:—
Civil Regular Register, correct and well kept.
Civil Miscellaneous Register, correct.

68. Mahathamien, Extra Assistant Commissioner's Court:
Civil Regular Register, entries incomplete.
Civil Miscellaneous Register, entries incomplete.

69. Shwèlay Extra Assistant Commissioner's Court:
Civil Regular Register, correct.
Civil Miscellaneous Register, correct.

70. Thayetmyo, Extra Assistant Commissioner's Court.
Civil Regular Register, well kept.
Civil Miscellaneous Register, correct.

71. Meaday, Extra Assistant Commissioner's Court :—
Civil Regular Register, well kept.
Civil Miscellaneous Register do.

72. Mengdoon, Extra Assistant Commissioner's Court :
Civil Regular Register, entries incomplete.
Civil Miscellaneous Register, correct.

73. Kama, Extra Assistant Commissioner's Court :—
Civil Regular Register, correct.
Civil Miscellaneous Register do.

74. General Remarks. The Assistant Commissioner of Prome has the most difficult cases to deal with, principally between Natives of India; there were seven appeals against his decisions, four of which were reversed.

75. Only one appeal was brought against the decision of the Assistant Commissioner of Thayetmyo, and which decision was confirmed.

76. The Tsitkay has a large number of cases to try and appears to give satisfaction; he disposed of 928 cases, 71 of which were appealed; of these the decision in 39 cases were reversed.

77. Of the other Courts the largest number of appeals is from the Kama Extra Assistant Commissioner who is getting old and past work.

78. In all the Courts attention is paid to procedure and the cases are as a general rule well and carefully tried.

79. At the close of the year there were eighteen pleaders practising in the district, two were second class and the remainder third.

80. An examination was held in October when a large number appeared, but not one succeeded in passing; ten of these were men who had been allowed to practice for some time previous to passing.

81. The number at present in the district appears to be quite sufficient.

Registration of Deeds.

1. The Assistant Commissioner of Thayetmyo, Major Munro, has during the past year, been in charge of the Registration Office at that station, and, with the exception of one month, when Mr. Richardson was in charge. Mr. Phillips, Assistant Commissioner of Prome, has been in charge of the Prome office.

2. There has been an increase of 63 deeds registered during the past year, the deeds registered in each office for the two years being as follows:—

	1867	1868
Prome	95	155
Thayetmyo	57	60

the increase being principally in the Prome Office.

3. In the value of property registered there has been a decrease of Rupees 15,122-0-3.

4. In both Offices there has been a decrease; in that of Prome of ....Rs. 4,105-0-3
and in that of Thayetmyo of ... .Rs. 11,017-0-0.

5. In the Prome Office there has been an increase of 35 deeds registered in the "Permanent Conveyance Register,"

and of 23 deeds in the "Temporary Conveyance Register," and a decrease of 4 deeds entered in the "General Register."

6. Two Wills have been registered in the Prome Office during the past year.

7. In the Thayetmyo Office there has been an increase of 6 Deeds entered in the "Temporary Conveyance Register", and of 4 entered in the "General Register," whilst there has been a decrease in Deeds of Permanent Conveyance to the number of seven.

8. No Wills have been registered in the Thayetmyo Office.

9. The amount of fees in the two Offices during the past two years has been as follows:

	1867	1868
Prome	190	320
Thayetmyo... ..	114	120

10. The Registers in the Prome Office were carefully kept, but the rules were not strictly followed on the following points :—

11. Certificate stating the number of pages in the Register was not written in the hand writing of the Registrar; the pages were not attested nor were the pages in the "Permanent Conveyance Register" correctly numbered.

12. Date and hour of the day when the Deed was presented was not recorded on the Copy, nor was there any Certificate recorded stating the day and hour when the entry was completed.

13. The Registers in the Thayetmyo Office were not so carefully kept, and in addition to the same omissions observed in the Prome Office, with the exception of a Register not being correctly numbered, there were also the following errors. Several Deeds were entered in the wrong registers, indices in separate books were not kept up- no alphabetical arrangement had been observed, and the entries in the indices were incomplete.

REPORT

OF THE

DISTRICT MAGISTRATE OF TOUNGOO

For 1868.

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STATEMENT No. I.

1. A considerable increase has occured in the number of Original, whereas, the Appellate suits instituted in the past year show a slight decrease compared with the year previous. In Original cases an increase 8.8 per cent and in Appellate suits a decrease of .48.

CASES INSTITUTED.	Appeals	Original
1867	145	1163
1868	138	1266
Decrease	7	Increase 103

2. In 1867 there was in bothOriginal and Appellate suits taken together of 4.5 and 15.17 per cent respectively.

3. The increase in Original suits may be attributed to an increase of nearly 49 per cent in the number of suits for money due on contracts instituted during the past year.

This is in a measure due to creditors having recourse to law to payment of debts that remained unpaid owing to the scarcity of provisions and also to an increase in suits for personal property or value thereof.

4. A comparative statement of the Miscellaneous cases instituted in the year under review is marginally shown, exhibiting an increase of 254 cases.

MISCELLANEOUS.	Cases
	645
	899
Increase	254

5. The returns shews a decrease of seven in the number of Appellate cases compared with last year.

Decrease in appeal cases 2

6. The duration of suits during the year under review average 13.5 days against 11 days in 1867.

DISPOSAL OF CASES.

7. During the past year 136 cases were disposed of, this includes two cases pending at the close of 1867, which, added to 138 instituted in the year under review, leaves 4 cases pending.

8. The number of original cases heard and disposed of during the year shows an increase of 99 over the year previous. The number of cases disposed of in all the courts in 1868 amounting to 1,267 against 1168 in 1867. The number of cases pending on the 31st December 1868 was seven against 8 in former year.

9. The number of Miscellaneous Cases disposed of during 1868 as compared with that of 1867 noted in margin shows an increase of 251 suits which calls for no remark.

MISCELLANEOUS

	Cases
1867	647
1868	898
Increase	251

10. The pending cases in the two years were as follows:—

	Appeal	Original.	Miscellaneous.	Total.
Pending on the 1st January 1868	2	8	"	10
Do. on the 31st December 1868	4	7	1	12
	+2	−1	+1	+2

Classification of Suits.

Statement No. 11.

11. In the number of cases of immovable and movable property instituted before all the Courts of the District shown in the return for the current year, there is an increase of 103 original cases and a decrease of 7 in appeal cases. There was a decrease in immoveable property of 31 and an increase in moveable property of 127.

12. The following are the numbers of each of the above Classes of Suits during the past 2 years.

Class of Suits.	Year,	Appeals.	Original.
Suits connected with immoveable property.	1867	39	82
	1868	35	122
		Decrease 4	Increase 40
Suits not connected with immoveable property	1867	106	1081
	1868	103	1144
		Decrease 3	Increase 63

DEBTS.

1867	376	Cases
1868	415	"
Increase	39	"

DAMAGES.

1867	55	Cases
1868	40	"
Decrease	15	"

13. In the number of Debt cases instituted during the year there has been an increase of 39 cases, and those of damages for both breach of contract and injury there has also been a decrease of 15.

14. By Statistical Returns there is an increase of 3. This is owing to the new returns giving a separate heading for cases which in the Local returns are included under *other cases.*

MARRIAGE OR DIVORCE.

1867	136	Cases
1868	136	"

INHERITANCE

1867	6	Cases
1868	14	"

15. Exactly the same number is shown in both years.

16. There were 14 claims to inheritance under *Lex loci* against only 6 in 1867.

Detail of Suits.

Statement No. III.

17. In the year under review there were 136 cases of Appeals from the Lower Courts decided and disposed of, the number of cases decreed in favour of Respondents being slightly in excess of those decided in favour of Appellants viz : 8 cases as shown per margin. Of these the remaining twenty-eight Suits were remanded for further hearing.

DECISION OF CASES.

APPEALS.

In favour of Appellant	50	
Do Do Respondents	58	
	8	

ORIGINAL CASES.

18. There has been an increase in the number of original cases disposed of during the year, 757 cases were decided in favour of Plaintiffs and 255 in favour of Defendants, of which 140 were ex-parte against 90 in 1867 giving an increase of 7.6 per cent.

19. There has been a slight increase in the number of cases dismissed in default or withdrawn during the year under Report compared with the previous year, as shown by the Statement in the margin.

1867	30	Cases
1868	35	,,
	5	,,

20. In 1867, 238 cases were decided in favour of Defendant against 225 in 1868, showing an increase of 17 Suits in present year.

DISPOSED OF MISCELLANEOUS CASES

21. The returns for 1868 show an increase in the number of Miscellaneous cases disposed of, amounting to 898 suits, 715 cases were in favour of Plaintiffs and 111 in behalf of Defendants against 490 and 98 in 1867. A slight increase has also taken place in the number of cases dismissed in default or withdrawn in 1868 against 1867.

	In favour of Plaintiffs.	In favour of Defendants.	Compromised or withdrawn.
1867	490	98	6
1868	715	121	15
Increase.	225	23	9

22. 898 Miscellaneous cases were disposed of during the year—899 were instituted leaving one case to be disposed of at the end of the year.

APPEALS FROM EACH OF THE SUBORDINATE COURTS.

23. In the year under review the number of appeals preferred from the Lower Courts amounted to 138 against 145 in the previous year

24. The following is a Statement of Appeals preferred from each Subordinate Court and their results.

	No. of Appeals	Decree Confirmed.	Decree Reversed.	Otherwise disposed of.	Pending.
Assistant Commissioner Mr. Duke	5	2	1	2	..
Extra Assistant Commissioner 2nd Class 2nd Grade. ..	76	33	27	15	1
Extra Assistant Commissioner 3rd Class 5th Grade Myoma.	14	5	5	2	2
Do. do. do. do. do. Zeyawaddie	28	11	10	6	1
Do. do. do. do. do. Bombaddie.	9	4	3	2	...
Do. do. do. do, do. Thagarah.	8	3	4	1	...
Total. .	140	58	50	28	4

25. Supposing the Judgments in the appellate Court to be right, and comparing this Statement with a similar one attached to the Commissioner of Pegu's Civil Report for 1867, the proportion of cases confirmed on appeal contrast favourably in all the Courts with the average of their several grades for the Division.

The result being particularly favourable to Extra Assistant Commissioners Moung Htine and Moung Shwè Myat.

26. The proportion of appeals to cases decided in each subordinate Courts is shown in the following table.

Courts.	No of cases disposed of.	No. of Appeals from decision.	Average Percentage of Appeals to cases.
Assistant Commissioner. Mr. Duke	25	5	20
Officiating Do. Do. Lieut. Thorp	29	0	0
Ex. Asst. Commr., 2nd Class, 2nd Grade of Toungoo	713	75	10.05
Do. Do. 3rd Class, 5th Grade of Myoma	160	14	8.75
Do. Do. Do. Zeyawaddie	145	27	18.62
Do. Do. Do. Bombaddie	91	9	9.99
Do. Do. Do. Thagarah	104	8	7.73
Total ...	1,267	138	

27. The following is a detail of 1267 Original suits disposed of by the Subordinate Courts of the District.

	Cases disposed of.	Decrease in favor of		No. of Ex-parte. Decrees.	Withdrawn or compromised.
		Plff.	Defdt.		
Asst. Commr. Mr. Duke	25	18	6	0	1
Offg. Do. Lieut. Thorp... ...	29	19	2	1	7
Ex. Asst. Commr. Moung Htine	713	418	129	101	65
Ex. Asst. Commr. of Myoma	160	84	29	23	24
Do. of Zeyawaddie... ...	145	80	45	9	11
Do. of Bombaddie	91	60	16	0	15
Do. of Thagarah	104	58	28	6	12
Total ...	1,267	737	255	140	135

Duration of Suits value of Stamps &c.

Statement No. IV.

28. The average duration of Appeal cases in the District Appellate Court exceeds that of last year by 2.5., this is owing to the Criminal work being much greater in the Chief Magistrate's Court during 1868.

DURATION OF ORIGINAL SUITS.

29. Compared with 1867 there has been a considerable improvement in the average duration of Original Suits instituted in the several Courts of the District.

30. Tabular Statement of the average duration of cases in the several courts.

	Original.		Miscellaneous.	
	M.	D.	M.	D.
Assistant Commissioner, Mr. Duke	...	13	...	1.3
Officiating do. Lt. Thorp	...	6	...	...
Ex. Asst. Comnr. of Toungoo	..	11	...	4
do. do. of Myoma	...	2.75	...	1
do. do. of Zeyawaddie	...	3.35	...	1
do. do. of Bombaddie.	...	3.39	..	1
do. do. of Thagarah	...	3.60	...	...

VALUE OF SUITS.

31. In the total value of Appellate, Original and Miscellaneous suits instituted during the year there is an increase of Rs. 8,395-7-11 over that of 1867.

	Rs.	A	P
1867	13,621	5	4
1868	22,135	2	8
Increase	8,513	13	4

32. In Appellate court the value has increased considerably. In 1867 it was Rs. 13,621 against Rs. 22,135 in 1868.

	Rs.	A	P.
1867	85,210	3	9
1868	75,995	1	7
Decrease	9,215	2	2

33. In original cases there has been a very large decrease in the value of suits for 1868. In 1867 it amounted to Rs. 85,210 whilst in the past year the amount was only Rs. 75,995.

34. By a comparison of the returns for the two years it appears that claims for small amounts under Rs. 20 fell off at the rate of 31.9 per cent in 1868 while the percentage of increase in the number of cases of the higher values amounted to 151.9; still the total value of cases fell off by 8.18 per cent in 1868, owing to a comparatively heavy case of Rs. 14,863 in value having been on the Deputy Commissioner's file in 1867. The average value of each suit has fallen from 83 to 71 (excluding fractions) while with the decline in value, increased by the number of suits in 1868, the average cost of suits has only risen from 5.36 to 5.4.

35. The total value of suits in Miscellaneous cases greatly increased this year in comparison with that of the previous year. The amount for 1867 being Rs. 70,497 and that for 1868, 79,569 giving an increase of Rs. 9,071.

1867	Rs	70,497	7 11
1868	,,	79,569	7 8
Increase	Rs	9,071	15 14

36. The total value of stamps on law papers during the year amounted to Rs. 10,379-15 giving an increase of Rs. 2,205-1 as shown in margin.

VALUE OF STAMPS ON LAW PAPERS.

1867	Rs	8,174	14 0
1868	,,	10,379	15 0
Increase	Rs	2,205	1 0

37. The total value of stamps on Appellate cases has increased by Rs. 111-8. The amount for 1867 being Rs. 1,264-8 and that for 1868 Rs. 1,375.

38. In the amount realized by stamps on original suits there has been an increase of Rs. 1,893-13 as shown in margin. In original suits under the operation of the new Stamp Act the value of stamps has increased whereas the total value of original suits instituted in the year under review has decreased as noted before.

ORIGINAL SUITS.

1867	Rs	6,310	8 0
1868	,,	8,204	5 0
Increase	Rs.	1,893	13 0

39. The value of stamps on miscellaneous cases also shows an increase of Rs. 114-9 compared with the previous year.

MISCELLANEOUS.

1867	Rs	599	14 0
1868	,,	714	7 0
Increase	Rs	114	9 0

AMOUNT OF COST.			
1867	Rs.	13,654	3 0
1868	"	16,397	3 11
Increase	Rs.	2,743	0 11

40. The total amount of cost incurred by suitors as in the year under review was Rs. 16,397-3-11 against 13,614-3 in 1867 giving an increase of Rs. 2,743-0-11.

41. Execution of Decrees.

Year.	Executed Completely.	Executed in part.
1867	233	35
1868	355	58
	122	23

Of the 1,131 decrees passed during the year applications for execution were made in 438 cases or at the rate of 38.6.

ARBITRATION.

42. There was a greater tendency to submit cases to arbitration than in 1867, the figures being 7 to 4. Many cases are referred to arbitration that the Courts know nothing of.

REMARKS.

SERVICES OF OFFICERS.

43. Mr. Duke has conducted the duties of the Assistant Commissioner's Court satisfactorily, fully bearing out by his zeal and attention, the estimate of his character as a Judicial Officer formed last year.

44. Mr. Thorp having only joined his appointment in October there has been no time to judge of his ability.

45. Moung Htone, Extra Assistant Commissioner, 2nd Class, 2nd Grade continues to do his work creditably. And although the business of his court increased considerably compared with the previous year there are but few pending cases on his file, and those unavoidable. The other four Burmese Extra Assistant Commissioners 3rd Class, 5th Grade have acquitted themselves in a satisfactory manner.

From Major McMahon, Deputy Commissioner of Toungoo Division, to the Commissioner of Pegu Division Rangoon, (Home Department Judicial No. 40.) dated Toungoo, 28th April, 1869.

With reference to your letter No. 7-80 Home Department dated 14th April 1869, I have the honor to send copy of my report on Registration of Deeds embodied in "Administration Report."

It was through inadvertence not included in Local Report.

This answers your Memo: No. 6-79 Home Department, of the above date regarding "Civil Local Annual Report" on examination of the books records and Registers of the Subordinate Courts of this District.

JUDICIAL STATEMENT XII.

REPORT ON THE REGISTRATION OF DEEDS, &c.

There is but one Registration Office in the district which is under the control of the Assistant Commissioner.

The business therein fell off considerably compared with the previous year, 38 deeds only being registered compared with 69 in 1867, 15 were for personal contracts and 23 on deeds of sale or mortgage of property exceeding Rs. 100 in value.

Permanent conveyances showed the greater falling off. The Registrar is unable to account for this, but the number in 1867 was abnormal in as much as it doubled that of 1866.

Temporary conveyances exceeded those in 1867 by only one.

While the General Register showed a falling off of 6 in number, attributed by the Registrar to the depression of business in the district.

There were no wills registered during the year.

INSPECTION OF REGISTERS, &c. The Deputy Commissioner carefully inspected the records in this Office and found them correctly kept.

The same way may be said of the Registers, &c., belonging to the Subordinate Courts. Those of the Extra Assistant Commissioners were inspected monthly, the Assistant Commissioner's books once in the year.

REPORT

OF THE

DISTRICT MAGISTRATE OF AMHERST

For 1868.

LIST OF STATEMENTS SUBMITTED.

1. The following Statements are submitted with this portion of the report.

1st.—Statement of suits of every description instituted disposed of and pending.

2nd.—Classification of Appeals and original suits.

3rd.—Detail of disposal of suits.

4th.—Supplementary Return showing duration of cases—value of suits, stamps and costs.

5th.—Return showing result of inspection of offices of Subordinate Courts in form prescribed by the Commissioner in his Civil Miscellaneous No. 122 dated 12th November 1867.

6.—Return of Intestate Estates.

PENDING SUITS LOCAL.
Return No. 1 Columns 2 to 5 and 14 to 17

2. The following is a comparative Return of the number of cases pending at the beginning and at the end of 1868.

	Pending at beginning of 1868.	Pending at close of 1868.
Appeals	28	3
Original Suits	64	79
Miscellaneous Suits	17	44
TOTAL	109	126

There has therefore been a considerable decrease in the number of pending appeals though the number instituted has increased, whilst in original suits there has been an increase of 15 suits and in Miscellaneous suits of 27 pending cases.

The number of cases on the pending appeal File at the commencement of the year was disproportionately large. The file has now been reduced to its proper length.

The number of original suits pending in the Courts of the Deputy and Assistant Commissioners respectively are shewn in the Return itself.

Those pending in the Extra Assistant Commissioner's Courts are shewn in the aggregate. The following is a detailed statement of the cases pending at the beginning and end of the year in each of these Courts.

	Pending at Commencement of Year.	Pending at Close of Year.	Increase.	Decrease.
Ex. Assistant Commissioner, 1st Class, Kaukareit	.	...	...	...
Extra Assistant Commissioner. 3rd Class...				
Zeah	21	27	6	...
Bheelogywon	...	7	7	...
Amherst	3	2	...	1
Yea Lamaing	...	4	4	...
Gyaing Attaran	3	2	...	1
Gyaing Salween	6	2	...	4
Hlinebway	5	8	3	...
Houndraw		...	...	...
Martaban	11	18	7	...
Hpagat	1	3	2	...
Thatone	6	3	...	3
TOTAL	56	76	29	9

From this it will be seen that the only courts in which there was at the end of the year a considerable number of pending cases are those of Martaban and Zeah. The Martaban Myooke, Moung Khyiet was suspended during the year, and at time of his suspension left a very heavy file of pending cases which his successor could not clear off before the end of the year

The Zeah Myooke, Moung Shwè Ey is an old man, almost unequal to the work devolving on him. He has done good service in his day and it is almost time that he was pensioned.

NUMBER OF PENDING SUITS NOT EXCESSIVE.

3. On the whole the number of original suits pending at the close of the year does not appear excessive, with regard to the number of suits instituted and the average duration of cases during the year.

No encouragement was given to Extra Assistant Commissioners to clear their files at the close of the year. A clean file no cases pending at that time, generally raises a suspicion that the Judge instead of exerting himself continuously for the prompt despatch of judicial work throughout the year has roused himself into a state of unhealthy energy towards its close in order to furnish a deceptive return. Of the 1026 original suits which were under trial during the year 76 were pending at the close of the year- This number tallies with the average number likely to be pending at any time within the year, as calculated from the average duration of cases. This shows that there was neither undue delay at the end of the year, nor an abnormal display of vigour at that particular period.

SUITS INSTITUTED RETURN NO 1 COLUMNS 6 TO 9

4. The following Statement shows the number of suits of all kinds instituted during the past two years.

	1867	1868	Increase
Appeals	97	114	17
Original Suits	899	988	89
Miscellaneous Suits...	854	902	48
Total.....	1,850	2,004	154

There has been an increase in Suits of all descriptions.

INCREASE IN APPEALS.

5. The largest proportional increase is in Appeal cases. But for the deterrent effect of the new Stamp Act (XXVI of 1867) which was in force during the whole of 1868 against half of 1867 only, the increase would probably have been larger. It is believed that the increase is due chiefly to the more prompt despatch of appellate work, the average duration of cases having been reduced from 2 months and 19 days in 1867 to 8 days in 1868.

INCREASE IN ORIGINAL SUITS.

6. The increase in original suits amounts to about 10 per cent. There was one original suit only tried in the Court of the Deputy Commissioner during the year. This was a case which was originally instituted and decided in 1867. It was afterwards appealed to the Commissioner's Court and the decision of the Deputy Commissioner's Court was there set aside and the case remanded for re-trial by the Deputy Commissioner's Court after the commencement of the year. Strictly speaking therefore the case can hardly be said to have been instituted in 1868. But as it was not among the pending cases at the commencement of the year, it has necessarily been entered among the cases instituted during the year. In the Court of the Assistant Commissioner, Maulmain the number instituted has increased from 8 in 1867 to 12 in 1868. In the Court of the Assistant Commissioner, Thatone the number has decreased from 24 in 1867 to 5 in 1868. This is accounted for by there having been no Extra Assistant Commissioner, 3rd Class gazetted to Thatone during the greater part of 1867, and the Assistant Commissioner's Court having consequently taken up some cases in that year which would otherwise have been instituted in the Court of the Extra Assistant Commissioner, 3rd Class. Both these Courts viz: that of the Assistant Commissioner, Maulmain and that of the Assistant Commissioner, Thatone have been invested with powers under Section I Act XXIV of 1863, enabling them to receive cases of any value under Rs. 5000. The Court of the Assistant Commissioner, Amherst established in September 1868 has had no Civil Cases in consequence of not having been invested with these powers.

ORIGINAL CASES IN COURTS OF EXTRA ASSISTANT COMMISSIONERS.

7. The following is a comparative Statement of the number of Original Suits instituted in each of the Courts of the Extra Assistant Commissioners during the past two years.

	1867.	1868.	Increase.	Decrease.
Ex: Asst: Commissioner, 1st Class, Kaukareit	...	6	6	...
Extra Assistant Commissioner, 3rd Class... ...				
Zeah	150	194	44	...
Bheeloogywon	143	169	26	...
Amherst...	87	89	2	...
Yea Lamaing	77	64	...	13
Gyaing Attaran	64	60	...	4
Gyaing Salween	55	68	13	...
Hlinebway	39	43	4	...
Houndraw	45	61	16	...
Martaban	146	100	...	46
Hpagat	50	25	...	25
Thatone	9	91	82	...
TOTAL	865	950	193	88

There has been an increase therefore in all the Courts except those of the Yea Lamaing, Gyaing Attaran, Martaban and Hpagat. The decrease in Martaban and Hpagat is attributable, in the case of the former township, to the extreme unpopularity of the Extra Assistant Commissioner (Moung Khyiet now suspended), and in the case of the latter township to the extreme inefficiency of the Extra Assistant Commissioner, Moung Ee. The large increase in Thatone is owing to there having been no Extra Assistant Commissioner's Court there during the greater part of 1867, the name of the

Officiating Extra Assistant Commissioner not having appeared in the Gazette.

8 The following table gives the number and value of the original suits instituted in each Township during the past year as compared with the population.

SUITS COMPARED WITH POPULATION.

Township.	Total Population.	Total number of suits instituted in Myo-Okes' Courts.	Total value of suits instituted in Myo-Okes' Courts.		
Zeah	24,408	194	10,482	4	4
Bheeloogywon	19,235	169	7,393	0	0
Amherst	1,537	89	6,173	9	2
Yea Lamaing	9,660	64	2,421	8	0
Gyaing Attaran	16,453	60	4,087	13	6
Gyaing Salween	23,425	68	6,186	15	0
Hlinelway Salween...	10,917	43	2,830	6	0
Houndraw...	7,294	61	5,290	15	0
Martaban	22,987	100	5,196	10	6
Hpagat	7,367	25	705	2	0
Thatone.....	11,433	91	2,984	1	2
Total.....	157,716	964	53,752	3	8

From this it will be seen that the people of the Townships lying nearest to Maulmain, Zeah, and Bheeloogywon institute the largest number of suits.

In Martaban with its population of 22,000 there would probable have been more suits had the Extra Assistant Commissioner's Court been presided over by a more popular officer than Moung Khyiet. The number of suits in Amherst it will be observed, is large as compared with its population. Many of these are instituted by the natives of India and other foreign-

ers residing in the place. Many of these men are old transported convicts who have settled down and amassed property. In Gyaing Salween which is inhabited chiefly by Karens and Toungthoos, most of them very poor, the number of suits is very small in proportion to the population.

MISCELLANEOUS SUITS INSTITUTED

9. The following is a comparative statement of the number of Miscellaneous Suits instituted in the Courts of the different grades during the past two years.

	1867	1868	Increase	Decrease
Deputy Commissioners	505	445	...	60
Assistant Commissioners, Maulmain and Thatone	39	30	...	9
Extra Assistant Commissioners twelve Courts	310	427	117	...

There has therefore been a decrease in the number of these cases instituted in the Courts of the Deputy and Assistant Commissioners, but an increase of such cases in the Courts of the Extra Assistant Commissioners. Still however nearly half of the Suits instituted are in the Deputy Commissioner's Court.

NATURE OF MISCELLANEOUS SUITS, IN DEPUTY COMMISSIONER'S COURT.

The following is a comparative table of the different kinds of Miscellaneous Civil Suits instituted in the Deputy Commissioner's Court during the last two years.

	1867	1868
Applications for execution of decree from Recorder's Court ..	27	50
Do. Do. Do. other Courts ..	10	7
Objections to attachment of property in execution of decree .	5	20
Application for review of Judgment	18	10
Applications under Act XXVII of 1860 for Certificates of Administration	5	5
Applications for Probate Act X of 1865	1	1
Intestate Estates	29	12
Other Cases	410	340
Total....	505	445

There has been a very large increase it will be seen in the number of applications for execution of the decrees of the Recorder's Court and also a large increase in the number of objections to sale of attached property. The cases entered under the head of "other cases" are mostly on application of

a mere formal nature such as forwarding process for execution by other Courts &c.

EXECUTION OF DECREES BY DEPUTY COMMISSIONER'S COURT

10. The total amount of the decrees of which execution was applied for in the Deputy Commissioner's Court during the past year was Rs. 17,506-3-7 and the amount for which execution was obtained was only Rs. 1,423. In one case only no execution of decree was obtained. In 31 cases partial execution was obtained and in 21 cases the decrees were fully executed. The amounts realized by sales in execution of decrees were.

For immoveable property	...Rs. 859. 13. 0
For moveable property ...	... „ 563. 5. 0
Total.....	Rs. 1,423. 2. 0

Among the Judgment debtors 30 were natives of Burma, and 61 natives of India.

EXECUTION OF DECREES IN ASSISTANT COMMISSIONER'S COURT.

11. In the Court of the Assistant Commissioner, Maulmain there were four applications for execution of decree during the year 1868; of these there were 3 applications for execution of decree in Suits for land and one for specific performance under Section 200. There were no applications for execution of decree in the Court of the Assistant Commissioner, Thatone, nor in the Court of the Extra Assistant Commissioner, 1st Class, Kaukareit.

EXECUTION OF DECREES IN EXTRA ASSISTANT COMMISSIONERS' COURT.

12. The following table shows the number of applications for execution of decrees in each of the Extra Assistant Commissioners' Courts, distinguishing those which were for moveable and those for immoveable property.

				For immoveable property.	For moveable property.	Total.
Extra Assistant Commissioner, Zeah.	...	..	...	7	51	58
... do. ...	Bheeloogywon	..	...	15	42	57
... do. ...	Amherst. ...	...	...	..	18	18
... do. ...	Yea Lamaing.	...	...	...	4	4
... do. ...	Gyaing Salween.	...	...	2	31	33
... do. ...	Gyaing Attaran.	..	...	13	6	19
.. do. ...	Hlinebway. .	..	...	...	3	3
... do. ...	Houndraw. ...	...	..	...	8	8
... do. ...	Martaban. ...	..	..	7	29	36
... do. ...	Thatone. ...	...	...	..	17	17
... do. ..	Hpagat. ...	...	..	5	...	5
			Total...	49	209	258

In seven cases only was execution of decree enforced by inprisonment of the Judgment debtor and the longest period any Judgment debtor was in prison was two months.

ARBITRATION.

13. There were no cases referred to Arbitration during the year from the Courts of the Deputy and Assistant Commissioners.

The following table shows the number of cases in which suits instituted in the Court of the Extra Assistant Commissioners were subsequently referred to arbitration.

Extra Assistant Commissioner,	1st Class,	Kaukareit	2
Do.	2nd Class,	Zeah	0
Do.	Do.	Bheeloogywon	2
Do.	Do.	Amherst	5
Do.	Do.	Yea Lamaing	5
Do.	Do.	Gyaing Salween	0
Do.	Do.	Gyaing Attaran	0
Do.	Do.	Hlinebway	0
Do.	Do.	Houndraw	5
Do.	Do.	Martaban	4
Do.	Do.	Thatone	0
Do.	Do.	Hpagat	0
		TOTAL.	23

Arbitration when a case has once come into Court is very sparingly resorted to as the parties can seldom agree about the arbitrators. Each party wishing to name a partisan of his own. In all the cases referred to arbitration the awards of the arbitrators were confirmed. There were no cases in which awards made without the intervention of a Court were filed in Court under Section 327 of the Civil Procedure Code. There is some doubt as to what constitutes "sufficient cause" against the filing of such an award within the meaning of the last sentence of the above mentioned Section. It can hardly be intended that Section 324 shall apply to awards filed under this section.

NUMBER OF SUITS DISPOSED OF, COLUMNS 10 TO 18.

14. The following is a comparative statement of the number of Cases of all descriptions disposed of during the last two years.

	1867	1868	Increase	Decrease
Appeals	76	139	63	...
Original Suits	906	973	67	...
Miscellaneous Suits ...	851	875	24	...
Total...	1833	1987	154	...

This shows a very large increase in the amount of appellate work performed, and a moderate increase in original and miscellaneous cases.

CLASSIFICATION OF SUITS, RETURN No. 2.

15. The following is a comparative statement of the number of suits (appellate and original) connected with immoveable and moveable property during the last two years.

APPEALS.

	1867.	1868.	Increase.	Decrease.
Connected with immoveable property.	27	39	12	...
Not connected with immoveable property.	70	75	5	..
TOTAL.	97	114	17	

ORIGINAL SUITS.

	1867	1868	Increase	Decrease
Connected with immoveable property.	169	125	.	44
Not connected with immoveable property.	696	862	166	
TOTAL.	865	987	166	44

From this it appears though the number of original Suits connected with immoveable property has decreased the Appeals in such cases have increased. Whilst in cases unconnected with immoveable the Appeals have not increased in proportion with the original cases.

The following table shows the number of Suits connected with immoveable property in each of the Courts of the Extra Assistant Commissioner during the past year.

Extra Assistant Commissioner,	3rd Class,	Zeah	27
Do.	Do.	Bheeloogywon	21
Do.	Do.	Amherst	4
Do.	Do.	Gyaing Salween	6
Do.	Do.	Gyaing Attaran	13
Do.	Do.	Houndraw	1
Do.	Do.	Yea Lamaing	7
Do.	Do.	Hlinebway	15
Do.	Do.	Martaban	11
Do.	Do.	Thatone	4
Do.	Do.	Hpagat	4

These figures generally furnish a good index to the relative value of land in the different townships. The Hlinebway Township however is an exception, as land there has little value and yet the proportion of suits for immoveable property is very large.

DETAIL OF SUITS DISPOSED OF, RETURN No 3, APPEALS.

16. The following is a comparative Statement of the manner in which Appellate suits were disposed of during the past two years.

	1867	1868	Increase	Decrease
Rejected	12	20	8	...
In favor of Appellant	30	67	37	...
In favor of Respondent	27	45	18	...
Decreed Ex-parte	3	...	...	3
Compromised	...	2	2	...
Withdrawn or disposed of in default	4	5	1	...
TOTAL.....	76	139	66	3

The rejected cases are those in which the appeal was dismissed on perusal of the petition of appeal and the proceedings of the Lower Court without calling the respondent. The number of such cases has increased from 12 in 1867 to 20 in 1868. The number of cases under the next head i. e. cases decided in favor of the Appellant in which the decision of the lower was reversed modified or amended shows a result unfavorable to the lower Courts during the past year. In 1867 30 cases out of 76 or 39 per cent were decided in favor of Appellant, whilst in 1868, 67 cases out of 139 or 41 per cent were so decided. Out of the 67 cases decided in 1868 in favor of Appellant in 15 cases the decisions of the lower court were modified and in 14 cases amended, leaving a balance of 30 cases only in which the decision of the lower courts were absolutely reversed; among these 30 cases in which the lower courts decisions were absolutely reversed, there were 16 cases in which the lower courts were found to have disposed of the cases on preliminary points and which were therefore remanded for new trial, under Section 351 of the Civil Procedure Code. In 12 cases it was found necessary to send the cases back to the lower court for re-trial and ultimate decision by the Appellate court under Section 354 Civil Procedure Code on account of the lower Court having omitted to raise the necessary issues.

NUMBER OF APPEALS FROM THE DIFFERENT COURTS.

17. Of the Appeals disposed of 6 were from the Court of the Assistant Commissioner Maulmain (Mr. Barr). Among these the decisions of the Assistant Commissioner's Court were con-

firmed in 3 cases and in 3 cases reversed or modified. In one of the reversed cases however the decision of the Deputy Commissioner's Appellate Court was afterwards reversed on 2nd Appeal and the decision of the Assistant Commissioner's Court therefore affirmed. There have been no appeals from the decisions of the Court of the Assistant Commissioner, Thatone (Mr. Forbes) during the year. Nor were there any appeals from the decisions of the Court of the Extra Assistant Commissioner, 1st Class (Moung Byaw). This Court however decided only six cases—two of which were compromised, two decided ex-parte and two on confession, so that none of the decisions could be appealed against. One disputed case, instituted in his Court he requested might be transferred to another Court as being too difficult for him to decide.

The following table shows the proportion of Appeals and their disposal to the number of Cases decided by each of the Courts of the Extra Assistant Commissioners 3rd Class.

Township	Name of Myo Oke.	Cases disposed of during the year	Appeals preferred during the year.	Number of cases in which judgment was confirmed including rejected and withdrawn cases.	Number of cases in which judgment was reversed, modified or amended.	Pending	Proportion of reversals to cases decided.
Zeah	Moung Shwè Ey	195	34	16	18	3	9 ₱ cent
Bheeloogywon	Moung Poh	166	29	14	13	0	9 do
Martaban	Moung Chaik & Mg. Tsoung	91	9	4	5	0	0
Amherst	Moung Doot	90	7	2	5	0	5 do
Gyaing Salween	Moung Shwè Ngoung	72	5	4	1	0	1 do
Thatone	Moung Htoon Gyaw	88	4	3	1	0	1 do
Gyaing Attaran	Moung Tsat	61	9	1	8	0	13 do
Houndraw	Moung Hmoang	61	0	0	0	0	0
Yea Lamaing	Moung Pai Hlaw	60	3	1	2	0	2 do
Hlinebway	Moung Oh	37	3	2	1	0	½ do
Hpagat	Moung Ee	23	5	2	3	0	13 do
	Total	944	108	49	59	3	

The number and result of appeals however is not an infallible criterion of the merits of Judicial Officers. For in-

stance Moung Tsat who stands out so badly in this List is infinitely superior as a judicial officer to Moung Ee, Moung Htoon Gyan and others who have a smaller proportion of reversals against their names.

ORIGINAL SUITS.

18. The following table shows the manner in which original suits have been disposed of during the past two years.

	1867	1868	Increase.	Decrease.
Rejected	15	9	0	6
In favor of Plaintiff...	465	482	17	0
In favor of Defendant	184	213	19	0
Decreed Ex-parte	32	24	0	8
Compromised	53	86	33	0
Withdrawn or struck off in default ...	140	155	15	0
Transferred	7	4	0	3
Total	906	973	84	17

There has been a considerable increase in the number of cases compromised. The increase and decrease under the other heads calls for no particular remark.

AVERAGE DURATION OF CASES RETURN NO. 4 COLUMNS 3 AND 4 APPEALS.

19. At the commencement of 1868 there were, as noticed in the report for 1867, some cases of very old standing on the pending file. The oldest case had been pending for 19 months. All such cases were cleared off early in the year and the oldest case pending at the close of the year had been on the file for 10 days only. The average duration of cases also has been reduced from 2 months and 19 days to 8 days only. Considering the great distance of some of the Courts from the Head Quarter Station and the length of time that the Deputy Commissioner is required to be away in the interior of the district the average duration of cases has now been reduced probably to its lowest possible limit.

ORIGINAL CASES.

20. The one case on the Deputy Commissioner's File lasted for 2 months and 19 days. In the Court of the Assistant Commissioner of Maulmain the average duration of cases has been reduced from 12 days in 1867 to 7 days in 1868. In the Court

of the Assistant Commissioner, Thatone, the average has increased from 12 days in 1867 to 29 days in 1868. Mr. Forbes attributes the increased duration of cases in his Court to his absence at Shwè-Gyeen in January and February, and also to the constant postponements applied for by Pleaders. There is no doubt that the duration of cases in all the Courts in this District would be much shorter, were it not for the numerous applications for postponements presented by the parties themselves or their pleaders.

The following statement shows the average duration of cases in each of the Extra Assistant Commissioner's Courts during the past year.

				M.	D.
Extra Assistant Commissioner, 1st Class,			Kaukareit	...	...
Do.	Do.	3rd Class,	Zeah	...	23
Do.	Do.	Do.	Bheelooygywon	...	3
Do.	Do.	Do.	Amherst	...	25
Do.	Do.	Do.	Yea Lamaing	...	12
Do.	Do.	Do.	Gyaing Attaran	...	12
Do.	Do.	Do.	Gyaing Salween	...	25
Do.	Do.	Do.	Hlinebway	...	7
Do.	Do.	Do.	Houndraw	...	11
Do.	Do.	Do.	Martaban	...	12
Do.	Do.	Do.	Hpagat	...	5
Do.	Do.	Do.	Thatone	...	6

VALUE OF SUITS RETURN No. 4 COLUMN 5.

21. The following is a comparative statement of the value of suits of different kinds instituted during the past two years.

	1867.	1868.
	Rs.	Rs.
Appeals.	10,858	20,620
Original Suits.	63,129	70,808
Miscellaneous Suits.	2,350	5,743
TOTAL	76,337	91,171

And the following are the corresponding amounts of stamp papers filed.

		1867	1868	Increase	Decrease.
Appeals	Rs	932	1,228	296	...
Original Suits	Rs	6,949	6,833	...	116
Miscellaneous Suits	Rs.	688	379	...	309
TOTAL	Rs	8,569	8,440	296	425

There are some apparent discrepancies in the above two statements which require explanation. The value of appeals has increased from Rupees 10,858 in 1867 to Rupees 20,620 in 1868, but the stamp duty has only increased from Rupees 932 in 1867 to Rupees 1,228 in 1868. This arises from appeals *in forma pauperis* to the value of Rupees 8,925 having been instituted in 1868. In original suits it will be seen from the return that the increase in the value of the suits is entirely in the court of the Assistant Commissioner, Maulmain. In that court the value of suits has risen from Rupees 2,788 in 1867 to Rupees 12,770 in 1868, but the value of the stamps filed in 1868 amounted to Rupees 729 only. This also is owing to suits *in forma pauperis* to the value of Rupees 8,925 having beep instituted. In the court of the Assistant Commissioner, Thatone, there has been a slight decrease in the value of suits instituted and stamps filed. In the courts of the Extra Assistant Commissioners the value of suits instituted has decreased from Rupees 55,240 in 1867 to Rupees 53,752 in 1868. There is no doubt that this falling off is caused by the enhanced rate of stamp duty imposed by Act XXIV of 1867. As the rate of stamp duty on all cases instituted in the courts of Extra Assistant Commissioners is about 10 per cent on the value of the suit—the stamp duty on plaints to the amount of Rupees 53,752 would be Rupees 5,375 ; the difference between that sum and the value of the stamps filed, or Rupees 369, represents the value of the stamps filed on papers other than plaints. With regard to such papers the new Stamp Act has diminished the amount of stamp duty imposed. Formerly they required a stamp of eight annas, now they can be filed on a one anna stamp.

VALUE OF MISCELLANEOUS SUITS.

22. The figures in the returns showing the value of Miscellaneous Suits are not it is feared very valuable, as no general rule has been issued regarding the manner in which the value of such suits should be calculated and each Court has consequently been allowed to follow the rule which it has always adopted. In letter No. 89 dated 18th November, 1868 to the address of the Commissioner, the Deputy Commissioner suggested that the execution of decree cases the amount sought to be recovered should be entered as the value of the suit; i. e. that if a person applied for execution of a decree to the amount of Rupees 100 that sum viz Rupees 100 should be taken to be the value of the suit. This letter was finally answered by Assistant Secretary to the Chief Commissioner, Home Department, Proceeding No. 599-5, dated 5th February, received 13th February 1869. It is therein laid down that the principle on which the valuation of these suits should be calculated is to include only such amounts as have not already appeared in other returns, i. e. the actual expenses in the case. For instance, in an application for execution of a decree to the amount of Rupees 100 the value of the stamp on the petition and the costs of the application are to be entered as the value of the suit. This order was received too late to be applied to the valuation of Miscellaneous Suits in the present returns.

TOTAL COSTS, RETURN NO. 4, COLUMN 7.

23. The following is a comparative statement of the total amount of costs inclusive of stamps during the last two years.

	1867.	1868.	Increase.
Appeals ... ...Rs..	1,127	1,639	512
Original Suits ... ...Rs...	9,763	12,995	3,232
Miscellaneous Suits ... ...Rs	1,306	1,740	434
Total.....	12,196	16,374	4,178

A portion of this increase is due to the increase in the stamp duty, but the other costs also have increased considerably. It has not yet been discovered that the costs in any of the

lower courts during the past year were larger than they ought to have been. Parties generally incur more costs than are necessary by their ignorance and by the ignorance of their Pleaders and Judges of the simplest rules of evidence. The number of Witnesses is generally considered to be of more importance than the quality of their evidence. The following table gives the total value of suits, stamps and costs in each of the Extra Assistant Commissioners' Courts during the past year.

Total value of suits, stamps and fees in each Court in 1868.

Court.		Value of suits instituted.			Value of stamps filed.			Total costs.		
Extra Asst. Commr.	Kaukareit ...	1,586	...	...	159	...	...	204	8	...
do.	Beeloogywon ...	7,392	...	...	880	10	...	2,400	5	8
do.	Zeah	10,482	4	4	955	1	...	2,615	4	...
do.	Yea	2,421	8	...	290	1	...	555	12	...
do.	Amherst	6,173	9	2	472	4	..	807	9	...
do.	Gyaing Salween .	6,186	15	...	656	11	..	1,084	1	..
do.	Hlinebway do	2,830	6	...	306	8	.	595	4	...
do.	Houndraw ...	5,290	15	...	587	14		829	3	..
do.	Gyaing Attaran .	4,087	13	6	413	8	...	434	12	...
do.	Thatone ...	2,984	1	2	314	8	...	516	10	...
do.	Hpagat	705	2	...	78	8	...	232	8	...
do.	Martaban	3,610	9	6	628	8		751	8	6
	Total... ...	53,752	3	8	5,744	1	..	11,027	5	9

DEFICIENT STAMP DUTY AND PENALTY LEVIED.

24. The amount of deficient stamp duty and penalty on documents levied by Civil Courts under the provisions of Section 17 Act X of 1862 during the year amounted to Rs. 81 only. This was levied in Courts situated at a distance from Maulmain. It appears to be the custom for parties wishing to present such documents in any court within a moderate distance of Maulmain to come to the Treasury and get such documents stamped by the stamping machine.

REGISTRATION OF DEEDS.

25. Previous to 1868 there was only one office for Registration of deeds in this District. This was kept by the Assistant Com-

missioner, Maulmain. The following is a comparative statement of the deeds registered in this office during the past two years.

	1867	1868
Registry of Wills	2	3
General Register	73	113
Temporary Conveyance Register	61	15
Permanent Do.	299	346
Total.....	435	477

During the year Registry Offices were established in the Courts of the Assistant Commissioners at Thatone and Amherst. The following is the number of deeds registered in these Offices up to the end of the year.

	Thatone	Amherst
Registry of Wills	...	...
General Register	...	...
Temporary Conveyance Register	...	...
Permanent Do.	...	...
Total	...	...

Regarding the absence of registered documents at Thatone, Mr. Forbes remarks as follows:—

"A number of Copies of a few plain hints of the use and "effects of registration were distributed by me, and I explained "ed the same personally to all officials and well to do persons "I could, but the bonds executed by the people here being "generally little more than a kind of promissory notes for "small sums, they seem to think paying Rs. 2 for registration "throwing money away. As they say they can take as good "care of the original as the Court can and dont require a "duplicate."

SUITS TO WHICH GOVERNMENT WAS A PARTY.

26 There were no suits during 1868 in the Courts of this District to which Government was a party.

REGISTERS AND RECORDS OF SUBORDINATES COURTS

27. The Registers and Records of the Extra Assistant Commissioners' Courts are kept in conformity with the rules laid down by the Commissioner of the Division in 1867 (Miscellaneous Pro-

ceeding No. 122 dated 12th November 1867). All the Courts of the Extra Assistant Commissioners have been inspected during the year at least once, some twice, by the Deputy Commissioner, with the exception of those at Kaukareit and Attaran. Twice the Deputy Commissioner has been on the point of starting for Kaukareit and on both occasions he was stopped in consequence of orders from the Commissioner. The result of the Deputy Commissioner's inspection of the lower courts is embodied in a return drawn up in conformity with directions conveyed in which return is attached to this report. It gives a somewhat unfavorable view of the business-like habits of the officers of the lower courts. The Deputy Commissioner has prepared a revised and complete Lists of Registers &c., to be kept up, and returns to be submitted by Extra Assistant Commissioners 3rd Class, with full instructions regarding the manner in which the work should be done.

DEPUTY COMMISSIONER'S OFFICE.

28. The Books, Gazettes &c., forming the library of the Deputy Commissioner's Office have been collected, put in order and arranged, for the first time, during the past year. The commencement of a similar work with regard to the records has been made but the Deputy Commissioner has not yet had time to complete it.

REMARKS ON OFFICERS.

29. The following officers have presided over Civil Courts in this District during the past year. Deputy Commissioner, Captain Horace A. Browne, the whole year.—Assistant Commissioner, Maulmain, G. E. Barr Esquire, the whole year. Assistant Commissioner, Thatone, C. J. F. S. Forbes Esquire the whole —Assistant Commissioner, Amherst, Captain G. E. Fryer, since the 22nd September 1868. Extra Assistant Commissioner, 1st Class, Kaukareit, Moung Byaw, the whole year. —Extra Assistant Commissioner, 3rd Class, Zeah, Moung Shwè Ey, the whole year. Bheeloogywon, Moung Bho from 1st January to 24th December 1868, removed to Shwè Gyeen. Moung Hlaw, from 24th December to 31st December 1868. Amherst, Moung Dwot, the whole year. Yea Lamaing, Moung Pai Hlaw the whole year. Gyaing Attaran, Moung Tsat ,the whole year. Gyaing Salween, Moung Shwè Gwoon, the whole year. Hlinebway Moung Oh the whole year. Houndraw, Moung Shwè Hmoon,

the whole year. Martaban, Moung Khyeik, from 1st January to 27th October 1868 suspended, Moung Naw from 27th October to 3rd November 1868. Moung Tshoung from 3rd November to 31st December 1868. Hpagat, Moung Ee the whole year. Thatone, Moung Htoon Gyaw the whole year. The following remarks on the qualifications of the subordinate officers are submitted.

Messrs. Barr and Forbes are both excellent Judicial officers. Mr. Barr is most precise and careful and has great experience, Captain Fryer as already noticed has had no Civil Judicial work, in consequence of not having been invested with minor powers. Extra Assistant Commissioner 1st Class—Moung Byaw is unused to Judicial work and too old to learn. Moung Shwè Ey is the hardest worked of the Extra Assistant Commissioners, 3rd Class. He attempts to do substantial justice but generally in a very blundering manner, as remarked before, he is nearly past work. He cannot write the records of his cases himself.

Moung Bho is a young Officer, he is attentive and will probably improve; his hand writing is almost illegible and his Appeal cases consequently gave much trouble to the Deputy Commissioner.

Moung Dwot is extremely dilatory and inefficient. Moung Pai Hlaw is a very intelligent man. Moung Ee is quite past Judicial work, if he ever was capable of doing any properly. He has been recommended for a pension. Moung Khyeik had intelligence but was dilatory as well as arbitrary and unjust, and was suspended in October 1868. His officiating successor, Moung Tshoung, has been working very well and seems likely to make a good Judicial Officer. Moung Htoon Gyaw, a Toungthoo who was appointed to succeed his father Moung Goon Bau in 1867 appears willing to learn, but his abilities are certainly of a low order. The other Extra Assistant Commissioners have discharged their duties to the best of their abilities. For Judicial work as transacted in our Courts none of them shew any special aptitude. The Codes and Acts which have been piled upon them will never be properly administered by the present generation. No Myo Oke or Native pleader has had any education beyond what he received in a Budhist Monastery in his boyhood, and this falls short of what is required to enable him to comprehend a for-

eign system of legal procedure. Many display laudable diligence in learning the Codes by heart and can repeat them from memory as they do their Pali prayers i. e. without knowing the meaning of the words they utter. Some of them are reputed among their countrymen to be learned in "*law*" but of course not acquainted with "Acts" which no native of Burma can be expected to understand. This difficulty is intensified by the incorrectness and in some instances the unintelligibility of the translations of the Acts supplied. Abbreviated editions of the Codes and Acts containing only what is absolutely, necessary for a fair administration of Justice in Myo Okes Courts, expressed in simple language, and accompanied by explanatory notes, are much required.

No. 1.

STATEMENT of Suits of every description instituted, disposed of, and pending before all the Courts, European and Native in the Amherst District during the year 1868.

1.	2.	3.	4.	5.	6.	7.	8.	9.	10.	11.	12.	13.	14.	15.	16.	17.
	No. of suits pending at the close of year 1867.				No. of Cases instituted during year 1868.				No. of Cases disposed of during year 1868.				No. Cases pending at the close of year 1868.			
	Appeals.	Original Suits.	Miscellaneous Suits.	Total.	Appeal.	Original Suits.	Miscellaneous Suits.	Total.	Appeals.	Original Suits.	Miscellaneous Suits.	Total.	Appeals.	Original Suits.	Miscellaneous Suits.	Total.
Deputy Commissioner's Court ...	28	...	1	29	114	1	445	560	139	1	443	583	3	...	3	6
Assistant Commissioner, Maulmain ...	...	...	...	...	...	12	25	37	...	10	23	33	...	2	2	4
Assistant Commissioner, Thatone ...	...	8	...	8	...	5	5	10	...	12	5	17	...	1	...	1
Assistant Commissioner, Amherst...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Extra Assistant Commissioners ...	...	56	16	72	...	970	427	1,397	...	950	404	1,354	...	76	39	115
Total ..	28	64	17	109	114	986	902	2,004	139	973	875	1,987	3	79	44	126

DEPUTY COMMISSIONER'S COURT
MAULMAIN,
The 29th January 1869.

HORACE A. BROWNE.
Deputy Commissioner,
Amherst District.

No. 2.

CLASSIFICATION of Appeals and Original Suits Instituted before all the Courts in the District of Amherst during the year 1868, as per columns 6 and 7 of Statement No. 1.

	Appeals.		Original.			
	Before Deputy Commissioner.	Total.	Deputy Commissioner.	Extra Assistant Commissioner.	Assistant Commissioner.	Total.
I.—Suits connected with immoveable property.						
1. House, ...	11	11	...	22	1	23
2. Land, ...	22	22	...	65	1	66
3. Mortgages, ...	...	...	...	5	...	5
4. Fisheries, ...	1	1	...	2	...	2
5. Inheritance, ...	1	1	...	3	...	3
6. Other cases, ...	4	4	...	29	..	29
II.—Suits not connected with immoveable property.						
1. Debt, ...	15	15	...	324	5	329
2. Damages, for breach of contract, or loss or injury to property, ...	11	11	...	74	1	75
3. Damages, for personal injuries and wrong...	2	2	...	12	...	12
4. Marriage or Divorce, ...	3	3	...	24	...	24
5. Inheritance, ...	2	2	...	4	2	6
6. Other cases, ...	42	42	1	409	7	417
Total... ...	114	114	1	970	17	988

HORACE A. BROWNE, *Deputy Commissioner, Amherst District.*

No. 3.

DETAIL of Suits disposed of by all Courts in the District of Amherst for the year 1868, *as per Columns* 10 *to* 13 *of Statement No.* 1.

Description of Cases.		DECIDED ON TRIAL.							
		Rejected.	In favor of Appellant or Plaintiff.	In favor of Respondent or Defendant.	Decree Ex-parte	Compromised.	Withdrawn or disposed of in default.	Transferred.	Total.
Appeals.	Deputy Commissioner's Court	20	67	45	0	2	5	0	139
	Total ...	20	67	45	0	2	5	0	139
Original.	Deputy Commissioner's Court	0	0	1	0	0	0	0	1
	Assistant Commissioner, Maulmain	0	3	7	0	0	0	0	10
	Assistant Commissioner, Thatone	0	6	2	1	0	3	0	12
	Extra Assistant Commissioner, A. D. ...	9	472	204	23	86	152	4	950
	Total ...	9	481	214	24	86	155	4	973
Miscellaneous.	Deputy Commissioner's Court ...	59	358	13	0	1	1	11	443
	Assistant Commissioner, Maulmain	1	7	2	0	0	0	13	23
	Assistant Commissioner, Thatone ...	0	5	0	0	0	0	0	5
	Extra Assistant Commissioner's A. D. ...	58	213	59	16	28	28	2	404
	Total ...	118	583	74	16	29	29	26	875

H. A. BROWNE.
Deputy Commissioner, Amherst District.

No. 4.

SUPPLEMENTARY Civil Return of the District of Amherst for the year 1868.

1	2	3		4		5			6			7		
	Description of Suits.	Longest period any case on the file at the close of this year has been pending.		Average duration of suits disposed of during this year.		Total account of value of suits instituted during the year.			Value of Stamp on law papers filed during the this year.			Costs of every description inclusive of stamps and pleaders fees incurred by parties in suits disposed of during the year.		
		Months.	Days.	Months.	Days.	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.
Appeals.	Deputy Commissioner	.....	10	.....	8	20,620	7	9	1,228	15	...	1,639	6	7
		....	.....	...	.....	20,620	7	9	1228	15	..	1,639	6	7
Original.	Deputy Commissioner	.....	....	2	19	2,905	....		216	1	...	312	.....	
	Assistant Commissioner, Maulmain...	1	3	....	7	22,770	.		729	10	...	1,287	11	...
	Assistant Commissioner, Thatone.....	5	29	.....	29	1,381	....		45	4	..	368	.....	
	Extra Assistant Commissioner, Amherst District	17	24	.....	25	53,732	3	8	5,744	1	...	11,027	5	9
		.....	.....	.....	.....	70,808	3	8	6,833	.....	.....	12,995	...	9
Miscellaneous.	Deputy Commissioner	1	7	....	6	250	....		216	10	...	242	4	...
	Assistant Commissioner Maulmain..	1	17	.....	3	.....	.....		14	.....	.....	14	.....	
	Assistant Commissioner Thatone....		10	.....	4	150	1	...	3	.....	.....	4	.....	
	Extra Assistant Commissioner Amherst District	4	27	...	15	5,343	12	...	379	5	...	1,479	12	3
		.....	.....	.....	.....	5,743	13	...	693	9	...	1,740	...	3

REPORT.

OF THE

DISTRICT MAGISTRATE OF SHWE-GYEEN.

For 1868.

From Captain C. E. Watson, Deputy Commissioner Shwè Gyeen District, to the Commissioner of Tenassorim Division, Maulmain, No 18, dated Pahpoon 20th February 1869.

I have the honor to submit Report on the Administration of Civil Justice in the Shwè Gyeen District for the year 1868.

2. The following was the state of the file on the 1st of January 1868 and 1869.

	1868.	1869.
1 Deputy Commissioner A. District.	12	10
2 Assistant Commissioners.	4	2
1 Tsoetkay or Extra Assistant Commissioner 2nd, Class	...	...
5 Extra Assistant Commissioners.	11	2
	27	14

showing in the number of pending on the 1st January 1869 a decrease of 13 cases.

3. The subjoined is a Statement of Suits and Appeals instituted during 1867 and 1868 which shows an increase of 98 Suits and Appeals over that of 1867.

	1867	1868.
1 Deputy Commissioner.	88	107
2 Assistant Commissioner, 3rd Class...	50	18
1 Extra Assistant Commissioner 2nd Class or Tseetkay.	330	305
5 Do do. do. Myookes.	522	658
	990	1,088

4. The following is a Statement of the number of Suits and Appeals finally disposed of and decided on trial. Showing an increase of 108 cases over that of 1867.

	1867.		1868.	
	Decided on trial.	Finally disposed of.	Decided on trial.	Finally disposed of.
1 Deputy Commissioner.	81	...	109	...
2 Assistant Commissioners, 3rd Grade.	46	...	20	..
1 Extra Assistant Commissioner, 2nd Class or Tseetkay....	337	...	305	..
5 Do. do. do. Myookes. ...	529	...	667	...
	993	...	1,101	...
	Increase.		108	

At the end of the year 1868 there were no cases pending over a year in this District.

5. The following was the state of the Miscellaneous file on the 1st January 1868-1869.

	1868	1869.
1 Deputy Commissioner.	...	...
2 Assistant Commissioners.	...	2
1 Extra Assistant Commissioner, 2nd Class or Tseetkay.	...	...
5 Do. do 3rd Class or Myookes.	...	1
	...	3

6. The number of Miscellaneous cases instituted and disposed of in 1867 and 1868 is shown below. There being an increase of 52 cases instituted and 46 cases decided over that of 1867.

		Instituted	Disposed of	Pending above one year
1 Deputy Commissioner	1867.	4	4	
2 Assistant Commissioners, 3rd Grade		16	16	
1 Extra Assistant Commissioner, 2nd Class or Tseetkay,		51	51	
5 Do do 3rd Class or Myookes,		115	118	
Total		186	189	
1 Deputy Commissioner	1868.	18	18	
2 Assistant Commissioner 3rd Grade		12	10	2
1 Extra Assistant Commissioner 2nd Class or Tseetkay		19	19	
5 Do. do. 3rd Class or Myookes.		189	188	1
Total...		238	235	3
		52	46	

7 The number and the result of Appeals from decision of the Assistant Commissioners and Extra Assistant Commissioners, Shwè-Gyeen District, are exhibited below which shows an increase of 20 Appeals instituted above those of 1867:—

	Pending at end of 1867	Preferred in 1868.	Total	Confirmed	Reversed	Modified	Rejected	Withdrawn or disposed of in default	Remanded
Assistant Commissioner	1	1	2	1	..	.	1	.	
Ex Asst Comr 2nd or Tseetkay . .	1	28	29	14	9	..	1		2
Do 3 Class or Myo Okes ..	10	77	87	41	28	2	3	2	4
Total.	12	106	118	56	37	2	5	2	6

8. The subjoined Statement shows the total number of cases disposed of by each Extra Assistant Commissioner 3rd class or Myo-Oke, and the number of Appeals preferred against their decisions, and the result of Appeals.

	Instituted in 1868.	Disposed of in 1868.	Total disposed of	Preferred in 1868.	Appeals. Compromised.	Remanded.	Rejected.	Reversed.	Confirmed.	Disposed in default.	Modified.
Moung Hwat	163	173	173	27	...	...	14	13	...	...	
„ Welglay	251	252	252	21	...	1	2	8	17	...	2
„ Shwè Bwon	79	77	77	12	2	1	1	...	8	...	...
„ Tau	135	135	135	17	...	2	...	6	3	...	...
„ Kya Nyeo	30	30	30	...	...	...	...	...	...	...	...
	658	667	667	77	2	4	3	28	41	...	2

9. The following Statement shows the value of Suits instituted, decided and pending at the close of the year 1868:—

	Total value of suits instituted in 1868.			Total value of suits decided in 1868.			Total value of suits pending.		
1. Deputy Commissioner ...	11,894	4	...	9,855	4	...	2,039	...	...
2. Assistant Commissioners, 3rd Grade ...	4,562	5	10	3,367	5	10	1,195	...	...
1. Extra Assistant Commr., 2nd Class or Tseetkay...	15,950	1	7	15,950	1	7	.....	...	...
5. do 3rd Class or Myo-Okes...	35,592	...	7	35,142	...	7	450	...	...
	67,998	12	...	64,314	12	...	3,684	...	...

10. The number of Suits in a supposed population of 128,433 souls will be in propotion as 1 to 131 inhabitants.

11. The total amount of litigation within the year 1868 was estimated at Rs. 72,888-2.

12. The average duration of Suits was 7 days in Appeals and 5 in Regular Suits.

13. The large increase in the number of Appeals is attributable to the fact that at the commencement of the

year it was found necessary by the new Judge to reverse a few decisions of the Lower Courts. This doubtless gave slight encouragement to the losers of Suits in the Lower Courts.

The Appeal cases pending at the close of the year were such that could not have been disposed of sooner, as the records in these cases were not received till after the commencement of the new year. 106 Appeals or 20 more than the previous year were instituted, 96 of these together with 12 remaining over from the previous year were disposed of with the following result:—

Confirmed, rejected or withdrawn - -	58½ per cent.
Reversed or modified - - - -	36 do.
Remanded - - - - - -	5½ do.

The percentage of Appeals to Suits instituted was 11 per cent.

14. The value of Stamps filed in Civil Suits in the various Courts of the District during the past 2 years was as follows :—

	Stamps.		Rupees.
1867 - -	Rs. 7,050	Value of Suit -	71,346
1868 - -	„ 7,110	Do. do. - -	67,998

showing an increase of Rs. 54 in Stamps notwithstanding a decrease of Rs. 3,348 in the value of Suits instituted.

The number of Suits during the same periods were 990 and 1,088, but as the new Stamp Act was not in full force in this District till July 1867 a comparison of the value of Suits instituted during the first halves of the 2 years under review is shown; -

	Stamps.		Rupees.
From January to July 1867	Rs. 3,259	Value of Suit -	41,441
Do do. 1868	„ 3,461	Do. do. -	40,353

The number of Suits being 545 and 602 or an increase of 57 Suits. It is believed that no special circumstances have occurred in this District, irrespective of the alteration of Stamp duty, that would operate in varying the numbers of Suits instituted. It may therefore be inferred that the increased rates of Stamp duty have little effect in lessening litigation ; at the same time it is considered that the Stamp duty levied on Suits up to Rs. 500 in value is excessive, and presses severely on the poorer classes.

15. The number of Suits withdrawn or compromised amounts to 285 being 26 per cent of the number instituted a high average which tends to show that as a rule the Natives of this country are not prone to support a bad defence by means of false evidence. The saving of costs and the re-fund of Stamp duty is of course the great inducement to the compromise of Civil Suits.

16. The extent to which the Courts are resorted to for the execution of Decrees is no criterion of the usefulness of the Courts in enforcing the payment of just debts.

The loser of a Suit if he has the means almost invariably pays the money into Court, or settles with the Decree holder in some other way. The average of the number of executions to the number of Decrees passed is only 17 per cent.

17. Imprisonment for debt is very rare in this District. This is proved by the fact that throughout the year only 12 persons have been confined in the Civil Gaol for an average period of 3 days each.

The people are apparently not much inclined to pay for the support of their debtors in Gaol unless actuated by some other motive than that of enforcing the payment of a debt They prefer waiting till the debtor may be in a position to pay them. Steps are very seldom taken to keep a decree alive, consequently many Decree holders are debarred from recovering their money by the lapse of time.

18. Of 982 Civil Suits instituted in 1868, 56 cases, or 6 per cent were decided by arbitration of the elders of the respective towns, where the different Courts are situated, and none of their decisions have been set aside either in Appeal or by the Courts of original jurisdiction—their (the arbitrators) services are however availed of only in cases of inheritance, or settlement of accounts, and other intricate cases.

The increase of cases referred to Arbitrators is only 7 over that of 1867.

19. There were only 5 Registrations of Deeds throughout the year.

No. 1

STATEMENT of Suits of every description instituted, disposed of and pending before all the Courts, European and Native, in the district of Shwé-Gyeen during the year 1868.

1		2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
		No. of Suits pending at the close of the year 1867.				No of Cases instituted during 1868.				No. of Cases disposed of during 1868.				No. of Cases pending at the close of 1868.			
		Appeals.	Original Suits.	Miscellaneous Cases.	Total.	Appeals.	Original Suits.	Miscellaneous Cases.	Total.	Appeals.	Original Suits.	Miscellaneous Cases.	Total.	Appeals.	Original Suits.	Miscellaneous Cases.	Total.
1	Deputy Commissioners Court	12	...	...	12	106	1	18	125	108	1	18	127	10	...	...	10
2	Assistant Commissioners Courts	...	4	...	4	...	18	12	30	...	20	10	30	...	2	2	4
1	Tseetkay's Court	...	...	...	...	...	305	19	324	...	305	19	324	...	...	...	...
5	Myookes	...	11	...	11	...	658	189	847	...	667	188	855	...	2	1	3
	TOTAL	12	15	...	27	106	982	238	1,326	108	993	235	1,336	10	4	3	17

No 2.

CLASSIFICATION of Appeals and Original suits instituted before all the Courts in the District of Shwè-Gyeen during the year 1868 as per columns 6 and 7 of Statement No. 1.

		Appeals.			Original.				
		Before Deputy Commissioner.	Before Tseetkay.	Total.	Deputy Commissioner.	Assistant Commissioners.	Tseetkay.	Myookes.	Total.
I	*Suits connected with Immoveable Property.*								
1	Houses	...	...	...	...	...	9	5	14
2	Land	17	...	17	...	4	5	37	46
3	Mortgages	...	...	...	...	...	5	11	16
4	Fisheries	...	...	...	...	...	...	2	2
5	Inheritance	1	...	1	...	...	15	1	6
6	Other Cases	...	...	...	...	...	18	12	30
II	*Suits not connected with Immoveable Property.*								
1	Debt	50	...	50	1	7	251	374	633
2	Damages, for Breach of contract, or loss or injury to property	15	...	15	...	4	...	38	42
3	Damages for Personal injuries and Wrongs ...	...	...	...	...	...	1	11	12
4	Marriage or Divorce	1	...	1	...	...	11	16	27
5	Inheritance	2	...	2	...	3	...	6	9
6	Other Cases	20	...	20	...	...	...	145	145
	Total ...	106	..	106	1	18	305	658	982

No. 3.

DETAIL of Suits disposed of by all the Courts in the District of Shwé-Gyeen during the year 1868 as per columns 10 to 13 of Statement No. 1.

Description of Cases.		Decided on Trial.							
		Rejected.	In favor of Appellant or Plaintiff.	In favor of Respondent or Defendant.	Decreed Ex-parte.	Compromised.	Withdrawn or disposed of in default.	Remanded.	Totals.
Appeals.	Deputy Commissioner's Court.	5	39	56	...	...	2	6	108
	Total.	5	39	56	...	...	2	6	108
Original.	1 Deputy Commissioner's Court.	...	1	...	...	...	...	...	1
	2 Asst. Commissioners Court.	...	13	3	...	3	1	...	20
	1 Tseetkay's do.	...	165	53	...	39	48	...	305
	5 Myookes do.	22	325	98	30	115	77	...	667
	Total...	22	504	154	30	157	126	...	993
Miscellaneous.	1 Deputy Commissioner's Court.	4	12	2	...	...	...	...	18
	2 Asst. Commissioners do.	...	8	...	...	2	...	...	10
	1 - Tseetkay's do.	...	6	4	...	4	5	...	19
	5 - Myookes do.	2	114	37	2	25	8	...	188
	Total.	6	140	43	2	31	13	...	235
	Grand Total.	33	683	253	32	188	141	6	1336

No. 4.

SUPPLEMENTARY Civil return of the District of Shwé-Gyeen for the year 1868.

1	2	3		4		5			6			7		
Description of Suits.		Longest period any case on the file at the close of this year has been pending.		Average duration of suits disposed of during this year.		Total amount of value of suits instituted during the year.			Value of stamps on law papers filed during this year.			Cost of every description inclusive of stamps and pleader's fees incurred by parties in suits disposed of during the year.		
		Months.	Days.	Months.	Days.	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.
APPEALS.	Deputy Commr.	...	18	...	7	11,724	8	...	1,201	...	...	1,356	8	...
	Total...	...	...	...	...	11,724	8	...	1,201	...	...	1,356	8	...
ORIGINAL.	Deputy Commr.	...	...	...	2	169	12	...	18	...	...	19	8	...
	Asst. do.	...	20	...	3	4,562	5	10	543	8	...	584	...	...
	Tseetkay...	...	...	...	6	15,950	1	7	1,377	...	...	1,568	10	...
	Myookes...	...	25	...	6	35,595	..	7	3,586	8	...	4,089	15	...
	Total...	...	...	...	...	56,274	4	...	55,25	...	...	6,262	1	...
MISCELLANEOUS.	Deputy Commr.	...	...	...	2	1,200	8	...	9	8	...	12	8	...
	Asst. do.	...	6	...	2	614	6	...	9	...	...	17	2	...
	Tseetkay...	...	...	...	3	916	...	...	14	...	...	18	4	...
	Myookes...	...	8	...	2	2,158	8	...	251	8	...	297	13	...
	Total...	...	...	...	...	4,889	6	...	284	...	...	345	11	...

REPORT

OF THE

DISTRICT MAGISTRATE OF TAVOY.

For 1868.

—oo—

From G. FAITHFUL Esq., Deputy Commissioner, to Lieut. Colonel E. M. RYAN, Commissioner of Tenasserim Division of British Burma, No. 1, dated Tavoy the 9th January 1869.

Civil Returns Nos. I to IV
Annual Returns of all Suits in which Government are concerned
General Statement of unclaimed property of persons dying intestate in the Tavoy District
Statement of Cases involving constructions of the Code of the Civil Procedure with transcript of decisions and orders passed by the presiding Judges during the past year of 1868
Civil Returns Forms A, B, C, D, E, and F

I have the honor to forward the Annual Civil Returns noted in the margin, and the following Report of the Administration of Civil Justice for the year 1868.

2. The following was the state of the Regular Files on the 1st January 1868 and 1st January 1869.

		1868	1869
Deputy Commissioner.	Regular Suits	...	...
	Appeals	6	15
Extra Asst Commrs. 2nd Class, 1st Grade, Original Suits		4	26
Do. Do. 3rd, 4th, 5th do. 1st & 2nd do. do.			2
	Total.....	10	43

Shewing in the number pending on the last mentioned date an increase of 33 Suits. Of the cases in the Deputy Commissioner's Court 1 case was pending from the 28th November and the remaining 14 were instituted in the last month of the year. In December 1867 only 5 cases were instituted so that deducting the 9 cases in excess the number pending would be alike in each year viz. 6. In the Court of 2nd Class Extra Assistant Commissioner 1 case was pending from September, 2 from October, 7 from November and 16 from

December; some of the oldest cases are improperly kept pending for evidence. I fear some Officers do not receive plaints towards the end of the year.

		1867	1868
Deputy Commissioner	Original Suits	.	.
	Appeals	114	132
Extra Asst Commr 2nd Class, 1st Grade Original Suits		296	265
Do do 3rd, 4th, 5th do 1st & 2nd do Original Suits		290	309
	Total	640	846

3. The number of Suits and Appeals instituted during the past two years is given in the margin, and shews an increase of 96 cases.

		1867		1868.	
		Decided on Trial	Finally disposed of	Decided on Trial	Finally disposed of
Deputy Commissioner	Original Suits	1	1	—	—
	Appeals	108	109	117	123
Extra Assistant Commissioner, 2nd Class, Original Suits		203	247	209	273
Extra Assistant Commissioners 3rd, 4th, 5th, Classes 1st & 2nd Grade, Original Suits		261	290	271	307
	Total	573	647	597	703
	Increase	—	—	24	56
	Decrease	—	—	—	—

4. The number of Suits and Appeals decided on trial and finally disposed of in the years 1867 and 1868 is given in the margin and shews an increase of 24 cases in the former and of 56 in the latter in the year under review. There were no cases pending above one year in any of the several Courts in this Division.

5. The following was the state of Miscellaneous Files on the 1st January 1868 and 1st January 1869.

	1868.	1869.
Deputy Commissioner	.	...
Extra Assistant Commissioners, 2nd Class, 1st Grade ...	...	...
Do. Do 3rd, 4th, 5th, Classes 1st and 2nd Grade...	. .	...
Total ...	. .	.

Shewing none pending in the year under review.

6. The statement in the margin shews the number of the Miscellaneous Cases instituted and disposed of in the years 1867 and 1868, as also the number of cases of above one year's standing at the close of those years, respectively, and exhibits decrease of 1413 cases instituted, 1366 cases in the number disposed of by an order on their merits and 1413 cases in the number finally disposed of. The large decrease is caused by petitions of all kinds having wrongly been classed as Miscellaneous Cases in former years. The previous year's annual papers were signed and submitted by me, but as I only assumed charge of this District in the middle of December 1867 and did not discover the error at that time.

	Instituted.	Disposed of by an order on their merits.	Finally disposed of	Pending above one year
1867				
Deputy Commissioner	656	620	656	
Extra Asst Commissioner 2nd Class	479	459	479	
Do Do 3rd, 4th 5th do. 1st & 2nd Grade	275	401	475	
Total	1610	1549	1610	
1868				
Deputy Commissioner	42	36	42	
Extra Asst Commissioner, 2nd Class	97	92	97	
Do Do 3rd, 4th, 5th do 1st & 2nd Grade	58	56	58	
Total	197	188	197	
Increase				
Decrease	1413	1366	1413	

7. The number and result of Appeals from the orders of the Extra Assistant Commissioner 2nd Class 1st Grade and Extra Assistant Commissioners 3rd, 4th, 5th Classes and 1st and 2nd Grade, to the Deputy Commissioner are exhibited in the margin.

	Pending at the close of the year 1867	Preferred during the year 1868	Total	Confirmed	Reversed	Modified	Rejected	Remanded.	Otherwise disposed of	Pending
Extra Assistant Commissioner, 2nd Class	2	45	47	19	15	6	2	1		4
Extra Assistant Commissioner, 3rd, 4th and 5th Classes 1st and 2nd Grade	4	87	91	44	25	4	5	2		11
Total	6	132	138	63	40	10	6	4		15

The general result is not so good as last year. In the Court of the 2nd Class, 1st Grade Extra Assistant Commissioner the proportion of Confirmations is considerably smaller and of reversal larger, to the total of cases decided than in the previous year. This Court takes cognizance of cases arising within the Town limits many of which are of a more intricate nature than those tried in the rural Courts. The Extra As-

sistant Commissioner Moung Shwè Kyee has much improved the procedure of his Court under instructions given from time to time by myself, and has given me good assistance in conducting enquiries in Miscellaneous Cases.

8. The subjoined Statement exhibits the total number of cases disposed of by each Extra Assistant Commissioner 3rd, 4th, & 5th Classes, the number of Appeals preferred from their decisions and the result of the Appeals disposed of during the period under review.

Names and Stations.	Instituted during the year 1868.	Decided on trial	Finally disposed of.	Total disposed of.	Preferred during the year.	Appeals.						
						Confirmed.	Reversed.	Modified.	Remanded.	Rejected.	Quashed.	Pending.
N. E. Extra Asst. Commr 5th Class 1st Grade M S. Go.	67	54	67	67	29	14	6	3	.	2	...	4
S. E. Do. 4th Class 1st Grade Moung S. Hlan	130	110	128	128	38	19	11	..	2	1	...	5
West Do. 3rd Class 2nd Grade Moung S. Att.	112	107	112	112	24	11	8	1	1	1	...	2
Total ...	309	271	307	307	91	44	25	4	3	4	11	...

The proportion of Cases Appealed to those decided was greater last year than in the preceding one with not so favorable a result. Extra Assistant Commissioner Moung Shwè Att pays more attention to procedure and altogether gets up his Cases better than the two other Extra Assistants. Moung Shwè Hlan is most faulty in this respect. There is however more work in all departments in his Court than in the others which may account for occasional irregularities.

9. There were 9 cases of Appeals from the orders of the Deputy Commissioner to the Commissioner T. D. during the year under review, of which 4 were confirmed, 1 reversed, 3 dismissed on default, and 1 rejected.

In the previous year only one Appeal was preferred which was confirmed.

10. The following Statement shews the value of Suits instituted, decided, and pending at the close of the year:

		Total value of suits instituted 1868.	Total value of suits decided in 1868.	Total value of suits pending in 1868.
Dy. Commissioner.	Regular suits	... ...	... ...	... ...
	Appeals.	7,975	7,292	683
Extra Assist. Comr. 2nd class 1st grade.		13,230	11,493	1,737
Do. Do. 3rd, 4th, 5th class, 1st and 2nd grade.		12,907	12,741	166
	Total . .	34,112	31,526	2,586

I am not aware of any particular reason for the decrease in value of Suits in the three Lower Courts. There is a slight increase in the remaining one. * The average value of each Suit was 46 Rs. as against 66 Rs. in the former year.

Extra Assistant Commissioner, 2nd class, 1st grade.

11. The number of Suits on a supposed population of 68,749 will be in proportion of 1 to 93. Last year it was 1 to 104.

12. The average duration of Suits was 52 days in the Deputy Commissioner's Court, 14 days in the Extra Assistant Commissioner's Court, 2nd class, 1st grade; and 12 days in the Extra Assistant Commissioners Courts 3rd, 4th, and 5th classes 1st and 2nd grade. In the previous year the numbers were respectively 36,14 and 14 nearly, showing an equal number of days in the Court of the Extra Assistant Commissioner at Tavoy, and a decrease of 2 days in the other Lower Courts collectively, an increase of 16 days in the Deputy Commissioner's Court. The latter is caused partly by the Deputy Commissioner having been delayed in the interior on Revenue Settlement duty but more by frequent adjournments in trial of Appeal cases in a large number of which fresh issues were sent to the Lower Courts for enquiry and determination and re-submission of the papers with an opinion thereon to the Appellate Court. I hope there will be considerably less necessity for such adjournments this year.

13. The percentage of costs on the value of the Suits averaged 40 per cent as against 16 per cent in 1867. This owes from the increased number of Suits and Appeals and the generally raised value of stamped papers used in Suits under Act 26 of 1867.

14. Agreeably to Circular No. 42 dated 26th September 1862, I beg to report that there were no cases in which Government was concerned which is shewn in the return herewith forwarded.

15. I have taken every opportunity to improve the administration of Civil Justice in the Lower Courts by pointing out errors of Law and Procedure committed by them, and by sending written instructions generally likely to be useful to them.

16. I examined the Registers and Records of the Lower Courts on the following dates:- -

N. East Township	-	-	- 29th December 1868.
Tavoy Town	-	-	- 30th do. do
S. East Township	-	-	- 31st do. do
Western do.	-	-	- 25th March do.

North East Township, Moung Shwé Go, Extra Assistant Commissioner, 5th class, 1st grade.

Register of Miscellaneous Cases and of money deposits were not correctly kept up and generally great irregularity in signing books and entries in Registers. Library complete. Judicial Stamps supply defective in a few 4 anna Stamps.

Tavoy Town, Moung Shwè Kyee, Extra Assistant Commissioner, 2nd class, 1st grade. Registers correctly kept but entries not regularly signed by the Extra Assistant Commissioner. This Court keeps its own records which are in decent order. It keeps no Stamps supply as there is a Stamp Vendor in the Deputy Commissioner's Office. Library complete.

South East Township, Mourg Shwè Hlan. 4th class, 1st grade. I found the Register of Original Suits to be not correctly kept, and the Register of money deposits very much so, and generally entries not signed at the time very often and others not at all in the different Register books.

The Library is Complete. Papers of pending and lately decided Cases not well kept. A few judicial stamped papers of small value required to complete the full supply. This Court has not yet obeyed the Commissioner's order to have benches for the Pleaders and a railing in front, which I at once ordered.

Western Township, Moung Shwè Att, Extra Assistant Commissioner, 3rd Class, 2nd Grade. I regret to say that the notes of my inspection of this Court's Records made by me several months back have been mislaid by me but I am able to say that I found them in generally better order than those of the other two interior Courts.

I beg to recommend that Nos. 6 and 9 Registers of "Fees" &c., and attendance of witnesses (Civil Department) be discontinued as not being required—the former, as no Fees have been received in our Civil Courts for years— and the latter is only prescribed by the late Sudder or present High Court in the Criminal Department.

17. The so-called Pleaders in this District are not of much assistance to parties or the Court. They are allowed to practise without certificates having been in practise before the year 1863.

18. There were no cases referred to arbitration in this District during the past year.

19. In regard to the execution of decrees passed in the Courts of the Extra Assistant Commissioners 2nd, 3rd, 4th and 5th Classes it would appear that the number of Decrees given in those Courts during the past year was 487.

Execution was taken out in 122 cases which were settled as follows:

In 55 Cases the Amount was paid at once.
„ 33 „ Property was Attached and sold.
„ 3 „ Persons were confined in Gaol.
„ 11 „ Warrants were withdrawn.
„ 20 „ Warrants could not be executed.

The total number of persons confined in the Civil Gaol during the past year was 3 and the longest period during which any of those in confinement was 3 months

20. The number of deeds registered in the Deputy Commissioner's Office, Tavoy, during the past two years was in.

	1867	1868.
Permanent Conveyance	4	1
Temporary do.	2	1
General Register	0	1
Register of Will	0	0
Total ...	6	3

The value of property registered during the years 1867 and 1868 is shewn below :—

	1867.	1868.
Permanent Conveyance	2,425	300
Temporary Conveyance	2,500	600
General Register	...	5,200
Register of Will	...	...
Total Rupees ...	4,925	6,100

No. I.

STATEMENT of Suits of every description instituted, disposed of and pending before all the Courts, European and Native in the District of TAVOY, during the year 1868.

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	
	No of suits pending at the close of the year 1867.				No. of cases instituted during the year 1868.				No. of cases disposed of during the year 1868.				No. of cases pending at the close of the year 1868.				
	Appeals.	Original suits.	Miscellaneous Cases.	Total.	Appeals.	Original suits.	Miscellaneous cases.	Total.	Appeals.	Original suits.	Miscellaneous cases.	Total	Appeals.	Original suits.	Miscellaneous cases.	TOTAL.	
Deputy Commissioner	6	0	0	6	132	0	42	174	123	0	42	165	15	0	0	15	The earliest
Assistant Commissioner	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	date of pend-
Assistant Commissioner	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	ing case in
Extra Asst. Commissioner	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0,	Dy. Commr's.
Do do. 2nd class, 1st grade ...	0	4	0	4	0	295	97	392	0	273	97	370	0	26	0	26	Court is 28th
Do 3rd, 4th & 5th class, 1st & 2nd grade	0	0	0	0	0	309	58	367	0	307	58	365	0	2	0	2	Nov. 1868.
TOTAL...	6	4	0	10	132	604	197	933	123	580	197	900	15	28	0	43	

G. FAITHFULL,

Deputy Commissioner.

No. II.

CLASSIFICATION of Appeals and Original suits instituted before all the Courts in the District of TAVOY during the year 1868, *as per columns* 6 *and* 7 *of Statement No. I.*

	APPEALS.						ORIGINAL.						TOTAL.
	Deputy Commissioner.	Asst. Commissioner.	E. A. Commissioner.	Tseetkai.	Myo-Okes.	Total.	Deputy Commissioner.	Asst. Commissioner.	Ex. Asst. Commissioner.	Ex. Asst. Commissioner.	Tseetkai.	Myo-Okes.	
I. Suits connected with immoveable property.													
1. House	5	0	0	0	0	5	0	0	0	0	5	1	6
2. Land	39	0	0	0	0	39	0	0	0	0	22	44	66
3. Mortgages	1	0	0	0	0	1	0	0	0	0	4	1	5
4. Fisheries	0	0	0	0	0	0	0	0	0	0	0	1	1
5. Inheritance	6	0	0	0	0	6	0	0	0	0	2	13	1 5
6. Other cases	1	0	0	0	0	1	0	0	0	0	3	7	1 0
II. Suits not connected with immoveable property.													
1. Debt	8	0	0	0	0	8	0	0	0	0	62	51	113
2. Damages for breach of contract or loss or injuries to property...	16	0	0	0	0	16	0	0	0	0	75	52	127
3. Damages for personal injuries and wrongs	5	0	0	0	0	5	0	0	0	0	8	22	30
4. Marriage or divorce	4	0	0	0	0	4	0	0	0	0	6	14	20
5. Inheritance	4	0	0	0	0	4	0	0	0	0	2	23	25
6. Other cases	43	0	0	0	0	43	0	0	0	0	106	80	186
TOTAL...	132	0	0	0	0	132	0	0	0	0	295	309	604

G. FAITHFULL,

Deputy Commissioner.

No. III.

DETAIL of Suits disposed of by all the Courts in the District of TAVOY during the year 1868, *as per columns* 10 *to* 13 *of Statement No.* 1.

Description of Suits.		Decided on trial.							
		Rejected.	In favor of Appellant or Plaintiff.	In favor of Respondent or Defendant.	Decreed ex-parte.	Compromised.	Withdrawn or dismissed in default.	Transferred.	Total.
APPEALS.	Deputy Commissioner	6	54	63	.....	.....	.....	.....	123
	Assistant Commissioner	.....	.....	.....	.....	.....	.....	.....	.....
	Assistant Commissioner	.....	.....	.....	.....	.....	.....	.....	.....
	Extra Asst. Commissioner	.....	.....	.....	.....	.....	.....	.....	.....
	Extra Asst. Commissioner	.....	.....	.....	.....	.....	.....	.....	.....
	Tseetkai	.....	.....	.....	.....	.....	.....	.....	.....
	8 Myo-okes	.....	.....	.....	.....	.....	.....	.....	.....
	Total ...	6	54	63	.....	.....	.....	.....	123
ORIGINAL.	Deputy Commissioner	.....	.....	.....	.....	.....	.....	.....	.....
	Assistant Commissioner	.....	.....	.....	.....	.....	.....	.....	.....
	Assistant Commissioner	.....	.....	.....	.....	.....	.....	.....	.....
	Ex. Asst. Commr., 2nd class, 1st grade ...	4	170	39	6	52	2	.....	273
	Ex. Asst. Commissioner	.....	.....	.....	.....	.....	.....	.....	.....
	Tseetkai	.....	.....	.....	.....	.....	.....	.....	.....
	Do. 3rd, 4th & 5th class, 1st & 2nd grade	4	178	93	1	27	2	2	307
	Total ...	8	348	132	7	79	4	2	580
MISCELLANEOUS.	Deputy Commissioner	3	25	10	.....	.....	.....	4	42
	Assistant Commissioner	.....	.....	.....	.....	.....	.....	.....	.....
	Assistant Commissioner	.....	.....	.....	.....	.....	.....	.....	.....
	Ex. Asst. Commr., 2nd class, 1st grade ...	.....	79	13	.....	5	.....	.....	97
	Ex. Asst. Commissioner	.....	.....	.....	.....	.....	.....	.....	.....
	Tseetkai	.....	.....	.....	.....	.....	.....	.....	.....
	Do. 3rd, 4th & 5th classes, 1st & 2nd grade ...	.....	46	10	.....	2	.....	.....	58
	Total ...	3	150	33	.....	7	.....	4	197

G. FAITHFULL,
Deputy Commissioner.

No. IV

SUPPLEMENTARY CIVIL RETURN of the District of TAVOY for the Year 1868.

1	2	3		4		5			6			7		
Discription of Suits.		Longest period any case on the file at the close of the year has been pending.		Average duration of Suits disposed of during the year.		Total amount of Value of Suits instituted during the year.			Value of Stamps on Law papers filed during the year.			Cost of every description inclusive of stamps and Pleader's fees incurred by parties in suits disposed of during the year.		
		Months.	Days.	Months	Days.	Rs.	As.	Ps.	Rs.	As.	Ps.	Rs	As.	Ps.
APPEALS	Deputy Commssioner. ...	5	28	1	22	7975	2	11	970	8	...	1349	3	2
	Assistant Commissioner ...	...	...	...	...	...	...	...	...	...	...	...	...	...
	Assistant Commissioner ...	...	...	...	...	...	...	...	...	...	...	...	...	..
	Ex Assistant Commissioner	...	...	...	...	...	...	...	...	...	...	...	...	...
	Ex. Assistant Commissioner	...	...	...	...	...	...	...	...	...	...	...	...	...
	Tseetkai	...	...	...	...	...	...	...	...	...	...	...	...	..
	Myo-okes.	...	...	...	...	...	...	...	...	...	...	...	...	...
	TOTAL...	5	28	1	22	7975	2	11	970	8	...	1349	3	2

1	2	3		4		5			6			7		
Description of Suits.		Longest period any case on the file at the close of the year has been pending.		Average duration of Suits disposed of during the year		Total amount of Value of Suits instituted during the year			Value of Stamps on Law papers filed during the year.			Cost of every description inclusive of stamps and Pleader's fees incurred by parties in suits disposed of during the year.		
		Months.	Days.	Months.	Days.	Rs	As.	Ps	Rs.	As.	Ps.	Rs.	As.	Ps.
ORIGINAL.	Deputy Commissioner ...	...	...	...	...	...	...	...	...	...	...	...	...	...
	Assistant Commissioner ...	..	...	...	...	...	...	...	...	...	...	...	...	...
	Assistant Commissioner ...	...	..	...	..	...	...	...	...	...	...	...	...	...
	Ex. Assistant Commissioner	.	...	...	..	...	...	...	..	...	...	...	...	...
	Ex. Assistant Commissioner	*												
	2nd Class 1st Grade ...	9	3	...	14	13,230	12		21,434	9	...	2,526	15	8
	Tseetkai.	...	...	...	...	...	...	...	...	...	...	...	...	...
	Do. Myo-okes 3rd 4th 5th Classes 1st & 2nd Grade	4	19	...	12	12,907	12		11,638	7	...	3,652	5	6
	TOTAL...	...	...	...	...	26,138	8		33,073	...	...	6,179	5	2

MISCELLANEOUS.

Deputy Commissioner. ...	...	6	...	1	...	...	...	103	1	...	103	1	...
Assistant Commissioner. ...	...	...	...	...	...	...	...	...	...	...	...	...	...
Assistant Commissioner. ...	...	...	...	...	...	...	...	...	...	...	...	...	...
Ex. Assistant Commissioner	...	...	...	...	...	...	...	...	...	...	...	...	...
Ex Assistant Commissioner 2nd Class 1st Grade.... ...	...	7	...	1	...	...	...	133	3	...	242	3	4
Tseetkai	...	...	...	...	...	...	...	...	...	...	...	...	.
Do. 3rd 4th 5th Classes 1st and 2nd Grade.	...	6	...	1	...	...	...	133	...	...	249	7	7
TOTAL...	...	..	..	...	...	...	...	369	4	...	594	11	11

* This is the case Pending in the Court of the Extra Assistant Commissioner 2nd Class, 1st Grade on account of the Commission having been sent to Rangoon for examination of Witnesses.

Tavoy
11th January 1869.

G. FAITHFULL
Deputy Commissioner

REPORT

OF THE

DISTRICT MAGISTRATE OF MERGUI

For 1868.

From T. SHEPHERD, Deputy Commissioner Mergui, to Lieutenant Colonel E. M. RYAN, Commissioner Tenasserim Division, No. 2 dated Mergui, the 1st January 1869.

I have the honor to forward the Annual Civil Returns noted in the margin, and the following Report of the Administration of Civil Justice in the District of Mergui.

Civil Statements Nos. I to IV.
Comparitive Statements Nos. I to XI.
Civil Statements from A to F.
Statistical Statements Nos. I to XII.
Return of Officers examined.
Statement of cases in which Government is concerned.

2. The following was the state of the regular files on the 1st January 1868, and 1st January 1869, showing no case pending on the last mentioned date.

	1868. S.	1868. A.	1869. S.	1869. A.
Deputy Commissioner	0	0	0	0
Tseetkay	0	0	0	0
Myo-Okes	0	0	0	0

3. The number of suits and appeals instituted during the past two years is given in the margin, and shews an increase of 8 Regular suits, and decrease of 24 cases in appeal.

	1868. S.	1868. A.	1869. S.	1869. A.
Deputy Commissioner ..	1	80	1	56
Tseetkay ..	539	0	539	0
Myo-Okes ..	149	0	167	0
Total..	689	80	697	56

4. The number of Regular Suits and Appeals decided on trial and finally disposed of in the years 1867 and 1868 is given in the margin, and shows 8 Regular Suits decided more than the year 1867. But 24 Appeal cases less in the year under review.

	1867 S.	1867 A.	1868 S.	1868 A.
Dy: Commissioner - -	1	80	..	56
Tseetkay - - - -	539	..	530	..
Myo-Okes - - - -	149	..	167	..
TOTAL - -	689	80	697	56

5. The following was the state of Miscellaneous files on the 1st January 1868 and 1st January 1869:—

	1868	1869
Deputy Commissioner -	„	„
Tseetkay - - - - - - -	„	„
Myo-Okes - - - - - -	„	„

		Instituted.	Disposed of by an order on the merits	Finally disposed of	Pending above one year
1867	Dy Commissioner	258	258		
	Tseetkay -	409	409		
	Myo Okes -	67	67		
	TOTAL -	734	734		
1868	Dy Commissioner	197	197		
	Tseetkay -	475	475		
	Myo Okes	126	126		
	TOTAL	798	798		
Increase		64	64		
Decrease - -					

6. The statement in the margin shows the number of miscellaneous cases instituted and disposed of in the years 1867 and 1868. As also the number above one year's standing at the close of the years respectively (of which there were none) and exhibits an increase of 64 cases.

7. The result of Appeals from the orders of the Deputy Commissioner to the Chief Commissioner and Commissioner, and from the Courts of the Tseetkay and Myo Okes to the Deputy Commissioner are exhibited in the margin.

	Pending at the close of 1867	Referred during the year	Total	Confirmed.	Reversed	Modified	Rejected.	Withdrawn or Compromised
Deputy Commr	.	2	2	2				
Tseetkay	.	42	42	27	10	5		
Myo Okes,		14	14	8	3	3		
Total		58	58	37	13	8		

8. The appeals from the Courts of the Tseetkay and Myo-Okes are 13 reversed, 8 modified, and 35 comfirmed out of the total number of 56 cases during the year under review. The result is satisfactory.

9. The subjoined statement shows the total number of Cases disposed of, Appeals preferred from the decision of the Myo Okes, and the result of the Appeals disposed of during the year under review.

	Instituted during the year	Decided on trial	Finally disposed of	Total disposed of	Preferred during the year.	Appeals			
						Confirmed.	Reversed	Modified	Rejected
Moung Shwè Go	90	87	3	90	9	5	2	2	
do Htoon Oung	45	44	1	45	5	3	1	1	
do Tsain Gnyoe	32	30	2	32					
Tsit Syan									
Total	167	161	6	167	14	8	3	3	

10. The following Statement shews the value of suits instituted, decided and pending at the close of the year :—

	Total value of suits instituted in 1868.			Total value of suits decided in 1868			Total value of suits pending at the close of the year 1868.		
Deputy Commissioner	..	..	..	...	...	..	...	...	...
Tseetkay.....	17,941	...	1	17,941	...	1	...	...	...
Myo-Okes	4,771	12	6	4,771	12	6	...	...	...
Total	22,712	12	7	22,712	12	7	...	...	...

11. The number of original suits in a supposed population of 43,281 will be a proportion of one case to 62 souls.

12. The total value of property litigated for, within the year was Rs. 22,712-12-7. The average value of the original suits was Rs. 32-11-8. The average duration of suits was 5 days; 2 days loss than the preceding year, which I consider satisfactory. The percentage of costs to the value of suits averaged 21 per cent.

13. Agreeably to your Circular No. 42 of 26th September 1862, I beg to report that there was no case instituted in which Government was concerned; and in conformity with your docket No. 66 dated 23rd November 1863, I beg to append the following remarks regarding the number of cases in which the decision of the lower courts has been reversed.

The number of cases reversed is equivalent to 23 per cent, which I consider satisfactory. There were 42 appeal cases

from the court of the Tseetkay Moung Shwè Bo preferred to my court, of which, 27 were confirmed, 10 reversed, and 5 modified. Nine appeal cases from the MyoOke of Palaw Moung Shwè Go, of which 5 were confirmed 2 reversed and 2 modified. Five appeal cases preferred from the court of the Myo Oke of Tenasserim, Moung Htoon Oung, of which 3 were confirmed, 1 reversed, and 1 modified.

The result of appeals from the subordinate courts is good. The Officers have conducted the duties of their several courts with fairness and to the utmost of their abilities.

During the past year, no Deeds have been Registered in this court, but the Register books are kept according to the Rules for the Registry of deeds published in the Hand Book for British Burma.

During the past year 158 decrees in Civil Suits have been executed.

The system prevailing in this District is, when application for execution of a decree is made under Section 207 of the Civil Code, and if older than one year, an inquiry is instituted; and if the court is satisfied, a Warrant is issued under Section 221.

In all cases of intended sale of immoveable property, thirty days notice is given; and for moveable property 15 days, in accordance with Section 249 of the Civil Code. If application is made to arrest a debtor in execution of a decree, he can apply for a discharge under Section 273, on the ground that he has no means of paying the debt, and by delivering up all the property he possesses, the court will then examine the applicant, and call upon the Plaintiff to show cause why he should not be discharged. If a debtor is sent to Gaol for Rs. 50 and will not pay, he is released after three months, and if not exceeding Rs. 500 six months.

During the past year there was no suit Arbitrated in any of the Civil Courts in this district.

During the past year I have examined the Subordinate Courts in this district. The stamps attached to the several suits were of the proper value, and the Records were correctly kept.

The following is the list of Registers, and Books kept in the several Subordinate Courts on the Civil Side,

Register of Suits.
Miscellaneous Book.
Deposit Book
Stamp refund Certificate Book.
Stamp Register.
Fees received.
Files of Orders
Copies of Orders.
Attendance of Witnesses.

No. 1

STATEMENT OF SUITS of every description instituted, disposed of and pending before all the Courts, European and Native in the District of Mergui during the year 1868.

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
	No. of suits pending at the close of the year 1867.				No. of cases instituted during the year 1868.				No. of cases disposed of during the year 1868.				No. of cases pending close of 1868.			
	Appeals.	Original suits.	Miscellaneous cases.	Total.	Appeals.	Original suits.	Miscellaneous cases.	Total.	Appeals.	Original suits.	Miscellaneous cases.	Total.	Appeals.	Original suits.	Miscellaneous cases.	Total.
Deputy Commissioner.	...	...	...	...	56	...	197	253	56	...	197	253	...	...	...	...
Assistant Commissioner. ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Assistant Commissioner. ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Ex. Assistant Commissioner....	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Ex. Assistant Commissioner....	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Tseetkai.	...	...	...	...	...	530	475	1,005	...	530	475	1,005	...	...	...	...
Myo-okes.	...	...	...	...	...	167	126	293	...	167	126	293	...	...	...	...
TOTAL.	...	...	...	...	56	697	798	1,551	56	697	798	1,551	...	...	...	...

T. SHEPHERD.
Deputy Commissioner.

No. II

CLASSIFICATION of Appeals and Original Suits instituted before all the Courts in the District of Mergui during the year 1868 *as per columns* 6 *and* 7 *of Statement No. I.*

	Appeals.						Original.						
	Deputy Commissioner.	Assistant Commissioner.	Extra Assistant Commissioner.	Tsectkai.	Myo-okes.	Total.	Deputy Commissioner.	Assistant Commissioner.	Extra Assistant Commissioner.	Extra Assistant Commissioner.	Tsectkai.	Myo-okes.	TOTAL.
I Suits connected with immoveable property.	...	...	...	...	...	...	...	...	...	...	...	...	..
1 Houses	...	...	...	...	...	...	...	...	...	...	9	2	11
2 Land	5	...	...	...	...	5	...	...	...	...	10	6	16
3 Mortgages	...	...	...	...	...	...	...	...	...	...	1	1	2
4 Fisheries	...	...	...	...	...	...	...	...	...	...	2	...	2
5 Inheritance	1	...	...	...	...	1	...	...	...	...	3	6	9
6 Other cases	...	...	...	...	...	...	...	...	...	...	2	23	25
II Suits not connected with immoveable property	...	...	...	...	...	...	...	...	...	...	...	...	...
1 Debt	25	...	...	...	...	25	...	...	...	...	135	30	165
2 Damages for breach of contract or loss or injuries to property.	8	...	...	...	...	8	...	...	...	...	46	11	57
3 Damages for personal injuries and wrongs	1	...	...	...	...	1	...	...	...	...	...	4	4
4 Marriage or devorce	1	...	...	...	...	1	...	...	...	...	38	17	55
5 Inheritance	2	...	...	...	...	2	...	...	...	...	...	1	1
6 Other cases	13	...	...	...	...	13	...	...	...	..	248	66	350

F. SHEPHERD.
Deputy Commissioner.

No. III

DETAIL of Suits disposed of by all the Courts in the District of Mergui during the year 1868 *as per columns* 10 *to* 13 *of Statement No. I.*

Description of Suits.		Rejected.	Decided on Trial.		Decreed exparte.	Compromised.	Withdrawn or dismissed in default.	Transferred.	Total.
			In favor of Appellant Plaintiff.	In favor of Respondant or Defendant.					
APPEALS.	Deputy Commissioner ...	...	21	35	...	...	...	..	56
	Assistant Commissioner ...	...	...	...	...	...	...	..	...
	Assistant Commissioner ...	.	. .	...	...	...	...	..	. .
	Ex: Assistant Commissioner	...	. .	...	...	...	...	..	...
	Ex: Assistant Commissioner	...	...	..	...	..	...	..	...
	Tsectkai	...	...	...	...	...	...	..	...
	8 Myo-okes	...	...	...	..	...	..	...	...
	TOTAL. ..	...	21	35	...	...	...	..	56
ORIGINAL.	Deputy Commissioner ...	...	...	...	...	...	...	...	...
	Assistant Commissioner ...	...	...	...	...	...	...	...	...
	Assistant Commissioner ..	...	...	...	...	...	...	...	...
	Ex: Assistant Commissioner	.	...	...	..	..	...	..	...
	Ex: Assistant Commissioner	..	...	...	...	.	...	...	...
	Tsectkai	2	384	47	33	4	60	...	530
	8 Myo-okes	.	124	37	2	1	3	...	167
	TOTAL...	2	508	84	35	5	63	...	697
MISCELLANEOUS.	Deputy Commissioner ...	44	106	35	...	12	...	..	197
	Assistant Commissioner ..	.	...	...	..	...	...	. .	...
	Assistant Commissioner ...	...	...	...	...	...	...	...	...
	Ex: Assistant Commissioner	...	...	...	..	...	...	...	...
	Ex: Assistant Commissioner	...	...	...	..	...	...	..	...
	Tsectkai	.	435	6	4	2	28	...	475
	8 Myo-okes	...	123	2	...	.	1	...	126
	TOTAL...	44	664	43	4	14	29	...	798

T. SHEPHERD.
Deputy Commissioner.

No. IV

SUPPLEMENTARY CIVIL RETURN of the District of Mergui for the year 1868.

1	2	3		4		5			6			7		
Description of Suits.		Longest period any case on the file at the close of the year has been pending.		Average duration of Suits disposed of during the year.		Total amount of Value of Suits instituted during the year.			Value of Stamps on Law papers filed during the year.			Cost of every description inclusive of stamps and Pleader's fees incurred by parties in suits disposed of during the year.		
		Months.	Days.	Months.	Days.	Rs.	As.	Ps.	Rs.	As.	Ps.	Rs.	As.	Ps.
APPEALS.														
	Deputy Commissioner. ...	...	...	...	12	2,778	5	7	357	6	...	579	12	8
	Assistant Commissioner. ...	...	...	...	...	...	...	...	...	...	...	...	...	...
	Assistant Commissioner. ...	...	...	...	...	...	...	...	...	...	...	...	...	...
	Ex: Assistant Commissioner	...	...	...	...	...	...	...	...	...	...	...	...	...
	Ex: Assistant Commissioner Tseetkai.	...	...	...	...	...	...	...	...	...	...	...	...	...
	Myo-okes...	...	...	...	...	...	...	...	...	...	...	...	...	...
	TOTAL...	...	...	...	...	2,778	5	7	357	6	...	579	12	8

ORIGINAL	Deputy Commissioner. ...	...	...	...	...	...	...	...	...	...	...	...	...	...
	Assistant Commissioner ...	...	...	...	...	...	...	...	...	...	...	...	...	...
	Assistant Commissioner. ...	...	...	...	...	...	...	...	...	...	...	...	...	...
	Ex: Assistant Commissioner	...	...	...	...	...	...	...	...	...	...	...	...	...
	Ex: Assistant Commissioner	...	...	...	...	...	...	...	...	...	...	...	...	...
	Tseetkai.	...	...	...	6	17,941	...	1	2,328	10	...	3,443	1	10
	Myo-okes...	...	...	...	5	4,771	12	6	591	...	...	1,496	14	3
	Total...	...	...	...	...	22,712	12	7	2,919	10	...	4,940	0	1
MISCELLANEOUS.	Deputy Commissioner. ...	...	...	...	1	315	5	...	24	13	...	57	7	4
	Assistant Commissioner. ...	...	...	...	...	...	...	...	...	...	...	...	.....	...
	Assistant Commissioner. ...	...	...	...	...	...	...	...	...	...	..	...	.....	...
	Ex: Assistant Commissioner	...	...	...	...	...	...	...	...	...	...	...	.....	...
	Ex: Assistant Commissioner	...	...	...	...	...	...	...	...	...	...	...	...	...
	Tseetkai.	...	...	...	1	397	13	5	301	9	...	587	8	4
	Myo-okes....	...	...	...	1	1,572	15	7	19	3	...	72	5	2
	Total....	...	...	...	...	2,286	2	...	345	9	...	717	4	10

T. SHEPHERD.
Deputy Commissioner.

APPENDIX.

No. I.

STATEMENT of Suits of every description instituted, disposed of and pending before all the Courts European and Native in the Division of Arakan during the year 1868.

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
COURTS	No. of Cases pending at the close of the last year.				No. of Cases instituted during the year.				No. of Cases disposed of during the year.				No. of Cases pending at the close of the year.			
	Appeals	Original Suits	Miscellaneous Cases	Total	Appeals	Original Suits	Miscellaneous Cases	Total	Appeals	Original Suits	Miscellaneous Cases	Total	Appeals	Original Suits	Miscellaneous Cases	Total
Commissioner's Court	2	...	...	2	11	...	1	12	13	...	1	14	...	...	...	...
Akyab District																
Deputy Commissioner's Court...	16	...	2	18	131	...	53	184	137	...	50	187	10	...	5	15
Akyab 1st Assistant Commissioner's Court ...	...	...	...	...	...	...	27	27	...	...	27	27	...	...	...	...
„ 2nd do. do.... ...	12	6	18	...	144	83	227	...	152	88	240	...	4	1	5	
Naaf Extra do. do. 1st Class ...	5	3	8	...	175	137	312	...	178	140	318	...	2	...	2	
Koladan „ do. do. do. ...	1	...	1	...	39	18	57	...	39	17	56	...	1	1	2	
Akyab „ do. do. 2nd Class ...	8	4	12	...	1095	1184	2279	...	1086	1179	2265	...	17	9	26	
Mrohoung „ do. do. 3rd Class ...	6	...	6	...	215	62	277	...	219	62	281	...	2	...	2	
Rathaidoung „ do. do. do.	...	...	...	...	150	46	196	...	139	38	177	...	11	8	19	
Minbya „ do. do. do.	...	...	...	...	132	22	154	...	132	22	154	...	...	...	...	
Ooyittoung East „ do. do. do. ...	3	...	3	...	95	31	126	...	98	31	129	...	...	...	...	
do. West „ do. do. do. ...	1	...	1	...	69	16	85	...	70	16	86	...	...	...	...	
TOTAL.....	16	36	15	67	131	2114	1679	3924	137	2113	1670	3920	10	37	24	71

Ramree District.																			
Deputy Commissioner's Court						50	2	12	64	50	2	11	63			1	1		
Kyouk Phyoo Ex: Asst. Comr's. Court 1st Class						...	164	91	255	...	164	91	255			...	..		
Ramree do. do. 3rd Class						...	208	136	344	...	208	136	344			...	.		
Aeng do. do. do.						...	81	9	90	...	81	9	90			..	...		
Cheduba do. do. do.			1	...	1	...	91	32	123	...	92	32	124			...	...		
TOTAL....			1	...	1	50	546	280	876	50	547	279	876			1	1		
Sandoway District.																			
Deputy Commissioner's Court						44	...	7	51	44	*1	7	52			...	...		
Sandoway Ex: Asst. Comr's. Court 2nd Class ...						...	*204	176	380	...	202	174	376		1	2	3		
Northern Divn. Ex. Asst. Comr's Court 3rd Class						...	96	15	111	...	96	15	111			...	...		
Southern do. do, do.						...	84	12	96	...	84	12	96			...	...		
TOTAL....						44	384	210	638	44	383	208	635		1	2	3		
Northern Arakan.																			
Hill Tribes Superintendent's Court						...	2	...	2	...	2	...	2			...	...		
Assistant Superintendent's Court						...	...	...	...	...	...	...	...			...	...		
TOTAL....						...	2	...	2	...	2	...	2			...	...		
GRAND TOTAL.....	18	37	15	70	236	3046	2170	5452	244	3045	2158	5447	10	38	27	75			

* One Suit was disposed of by the Deputy Commissioner from the Tsitkay's File.

J F. J. STEVENSON,
Commissioner of Arakan.

AKYAB,
The 4th March 1869.

No.

CLASSIFICATION of Appeals and Original Suits instituted before

	Appeals.						*Akyab.*									
	Before Commissioner	" Deputy Commissioner Akyab.	" Deputy Commissioner Ramree.	" Deputy Commissioner Sandoway.	" Hill Tribes Superintendent Northern Arakan.	Total.	Commissioner,	Deputy Commissioner.	Akyab 1st Asstt. Commr's. Court.	Akyab 2nd Asstt. Commr's. Court.	Naaf Ex. Asst Commr's. Court 1st Class	Kolodan Ex Asstt Commr's. Court 1st Class	Akyab Ex: Assistant Commissioner's Court 2nd Class.	Mrohoung Ex: Assistant Commissioner's Court 3rd Class.	Rapathaidoung
1. Suits connected with Immoveable property.															
1. Houses	...	1	...	...	...	1	...	...	...	1	...	...	6	3	..
2. Land	4	18	19	7	...	48	...	...	...	1	20	4	16	6	6
3. Mortgages	...	1	...	2	..	3	..	...	...	...	1	...	2	...	...
4. Fisheries...	...	...	2	...	...	2	...	...	...	...	...	...	...	...	...
5. Inheritance	3	...	4	3	...	10	...	...	...	1	1	...	...	...	...
6. Other cases	...	...	...	...	...	...	...	...	...	..	26	...	17	...	...
II. Suits not connected with Immoveable property.															
1. Debt	1	36	4	7	...	48	...	...	...	118	41	23	892	39	33
2. Damages for breach of Contract or loss or injury to property..	...	3	3	1	...	7	...	...	...	8	45	...	39	1	67
3. Damages for personal injuries and wrongs	...	1	...	8	...	9	...	...	...	...	...	...	10	...	1
4. Marriage or Divorce..	..	7	4	6	...	17	...	...	...	...	4	2	17	26	...
5. Inheritance	...	3	...	1	...	4	...	...	...	...	...	...	1	...	1
6. Other cases	3	61	14	9	...	87	...	...	...	15	37	10	95	140	42
TOTAL.....	11	131	50	41	.	236	...	...	...	144	175	39	1,095	215	150

AKYAB,
The 4th March 1869.

II.

all the Courts in the Division of Arakan during the year 1868.

ORIGINAL SUITS.

				Ramree.						*Sandoway.*				*Northern Arakan.*			
Minbya do.	Ooyittoung East do.	Do West do.	Total.	Deputy Commissioner.	Kyouk Phyoo Ex: Assistant Commissioner's Court 1st Class.	Ramree Ex: Assistant Commissioner's Court 3rd Class.	Aeng do.	Cheduba do.	Total.	Deputy Commissioner.	Sandoway Ex: Assistant Commissioner's Court 2nd Class.	Northern Division do. 3rd Class.	Southern do. do.	Total.	Hill Tribes Superintendent's Court.	Assistant do.	Total.	GRAND TOTAL.
...	2	2	14	...	...	...	2	...	2	...	...	...	1	1	...	...	...	17
7	1	3	64	...	10	19	1	9	40	...	14	5	3	22	...	...	...	126
...	...	...	3	...	2	...	4	3	8	...	3	1	...	4	...	...	...	15
1	...	...	1	...	1	...	...	...	1	...	...	...	...	...	...	...	...	2
1	1	...	4	...	2	8	2	2	14	...	2	2	1	5	...	...	...	23
...	...	...	43	...	1	...	...	...	1	...	...	...	2	2	...	...	...	46
13	49	11	1,219	2	79	66	35	23	205	...	75	43	40	158	2	...	2	1,584
5	13	2	180	...	5	8	11	...	24	...	6	2	7	15	...	...	...	219
19	...	...	30	...	5	5	6	7	23	...	10	1	7	18	...	...	...	71
9	3	7	68	...	14	9	6	10	39	...	14	16	7	37	...	...	...	144
6	1	4	13	...	2	1	...	...	3	...	1	1	1	3	...	...	...	19
71	25	40	475	...	43	92	14	37	186	...	79	25	15	119	...	...	...	780
132	95	69	2,114	2	164	208	81	91	546	...	204	96	84	384	2	...	2	3,046

J. F. J. STEVENSON,
Commissioner of Arakan.

No. III.

DETAIL of Suits disposed of by all the Courts in the Division of Arakan during the year 1868.

Description of suits.		Rejected.	Decided on trial.		Decided Ex-parte.	Compromised.	Withdrawn or dismissed in default.	Transferred.	Total
			In favor of Plaintiff or Appellant.	In favor of Defendant or Respondent.					
Appeals.	Commissioner's Court....	7	1	4	...	...	1	...	13
	Akyab District.								
	Deputy Commissioner's Court...	6	45	81	1	2	2	...	137
	Ramree District.								
	Deputy Commissioner's Court...	7	16	23	...	...	4	...	50
	Sandoway District.								
	Deputy Commissioner's Court...	1	17	23	1	...	...	2	44
	Northern Arakan.								
	Hill Tribes Superintendent's Court	...	...	...	...	...	...	...	...
	TOTAL...	21	79	131	2	2	7	2	244

Original Suits.

Akyab District.								
Deputy Commissioner's Court...	...	...	...	...	...	...	...	...
Akyab 1st Assistant Commissioner's Court ...	...	...	...	...	...	...	...	...
do. 2nd do. do. do. ...	35	65	30	11	5	6	...	152
Naaf Extra Asstt. Commr's. Court 1st Class ...	22	57	11	16	46	26	...	178
Koladan do. ... do. ...	2	21	3	...	10	3	...	39
Akyab Extra Asstt. Commr's. Court 2nd Class...	4	461	155	193	144	129	...	1,086
Mrohoung do. 3rd do...	...	69	26	9	24	91	...	219
Rathaidoung do. do. do...	2	44	10	26	28	29	...	139
Minbya do. do. do...	...	42	24	8	15	43	...	132
Ooyittoung East do. do. do...	...	23	9	10	26	30	...	98
do. West do. do. do...	...	28	12	3	12	15	...	70
TOTAL...	65	810	280	276	310	372	...	2,113
Ramree District.								
Deputy Commissioner's Court...	...	1	...	...	...	1	...	2
Kyouk Phyoo Ex. Asstt. Commr's. Court 1st Class	3	61	25	31	9	35	...	164
Ramree do. do. 3rd do.	3	59	27	51	6	62	...	208
Aeng do. do. do. do.	...	37	12	6	19	7	...	81
Cheduba do. do. do. do.	...	34	21	8	11	18	...	92
TOTAL...	6	192	85	96	45	123	...	547
Sandoway District.								
Deputy Commissioner's Court...	...	1	...	...	...	...	...	1
Sandoway Extra Asstt. Commr's. Court 2nd Class	...	109	40	23	14	16	...	202
Northern Division do. do. 3rd do.	...	59	21	5	10	3	...	96
Southern do. do. do. do. do.	...	28	16	11	20	9	...	84
TOTAL...	...	197	77	37	44	28	...	383

No. III.—*(Continued).*

Description of suits.		Rejected.	Decided on trial. In favor of Plaintiff or Appellant.	Decided on trial. In favor of Defendant or Respondent.	Decided Ex-parte.	Compromised.	Withdrawn or dismissed in default.	Transferred.	Total.
	Northern Arakan.								
	Hill Tribes Superintendent's Court... ...	...	2	...	...	...	...	...	2
	Assistant do. do.	...	...	...	...	...	...	...	...
	TOTAL...	...	2	...	...	...	...	...	2
	GRAND TOTAL...	71	1,201	442	409	399	523	...	3,045
Miscellaneous Cases.	Commissioner's Court...	...	...	...	...	...	1	...	1
	Akyab District.								
	Deputy Commissioner's Court...	9	27	11	...	...	3	...	50
	Akyab 1st Assistant Commissioner's Court ...	3	8	...	...	2	...	14	27
	Do. 2nd do. do. ...	9	76	1	...	...	...	2	88
	Naaf Extra Asstt Commr's. Court 1st Class ...	38	52	8	1	16	25	...	140
	Koladan do. do. do. ...	2	7	...	...	1	7	...	17
	Akyab do. 2nd do. ...	35	340	153	270	155	226	...	1,179
	Mrohoung do. 3rd do. ...	1	48	1	...	...	12	...	62
	Rathaidoung do. do. do. ...	...	25	2	...	...	11	...	38
	Minbya do. do. do. ...	...	17	...	...	...	5	...	22
	Ooyittoung East do. do. do. ...	...	31	...	...	...	...	...	31
	do. West do, do do. ...	...	9	...	...	4	3	...	16
	TOTAL...	97	640	176	271	178	292	16	1,670

Miscellaneous Cases.

Ramree District.									
Deputy Commissioner's Court...	...	7	2	...	...	2		11
Kyouk Phyoo Ex. Asstt Commr's. Court 1st Class	...	79	2	...	1	9		91
Ramree do do. 3rd do.	2	86	6	...		42		136
Aeng do. do. do. do.	...	8	...	...		1		9
Cheduba do do. do. do.	...	25	2	...	2	3		32
TOTAL...	2	205	12	...	3	57		279
Sandoway District.								
Deputy Commissioner's Court...	2	3	2	...	...			7
Sandoway Extra Asstt. Commr's Court 2nd Class	3	132	38	...	1		♣	174
Northern Division do. do. 3rd do.	...	14	1	.	...			15
Southern do. do. do. do.	...	6	1	...	3	2		12
TOTAL...	5	155	42	...	4	2		208
Northern Arakan.								
Hill Tribes Superintendent's Court	...	...	...	...	..			
Assistant Superintendent's do. ...	...	...	...		..			
TOTAL...	...	...	...		...			
GRAND TOTAL...	104	1,000	230	271	185	352	16	2,158

AKYAB
The 4th March 1869.

J F. J. STEVENSON,
Commissioner of Arakan

No IV.

SUPPLEMENTARY Civil Return of the Division of Arakan for the year 1868

COURTS	Longest period any case on the file at the close of the year 1868		Average duration of suits disposed of during the year 1868		Total amount value of suits instituted during the year 1868			Amount of Stamps in Law papers filed during the year 1868			Cost of every description inclusive of Stamps and Pleaders fees incurred by Parties in suits disposed of during the year 1868		
	Months	Days.	Months.	Days	Rupees.	As.	P.	Rupees.	As.	P.	Rupees	As.	P
Commissioner's Court... ... ... *Akyab District*	...	...	. .	7	665	3	2	81	0	0	185	2	2
Deputy Commissioner's Court. ... . . *Ramree District*	3	23	2	5	16,020	5	1	1,542	0	0	2,447	9	5
Deputy Commissioner's Court ... . . *Sandoway District.*	. .	...	...	7	5,063	7	11	568	8	0	824	2	4
Deputy Commissioner's Court ... ... *Northern Arakan*	...	...	...	9	2,719	8	0	315	6	0	430	1	9
Hill Tribes Superintendent's Court ...	...	...	...	...	...	0	0	. .	0	0	...	0	0
Assistant Superintendent's Court ...	...	...	...	. .	...	0	0	...	0	0	...	0	0
Total...	...	...	...	17	24,468	8	2	2,506	14	0	3,886	15	8

Akyab District.												
Deputy Commissioner's Court	..	...	...	...	...	0	0	...	0	0	...	0	0
Akyab 1st Asstt Comr's: Court.	...	...	...	...	...	0	0	. .	0	0	...	0	0
do 2nd Asstt· Comr's. do.	...	13	...	3	13,252	0	6	1,132	0	0	1,381	3	0
Naaf Extra Asstt: Comr's. Court 1st Class	...	25	...	5	11,504	11	2	1,124	0	0	1,573	2	7
Koladan do do do	..	14	. .	12	1,631	1	6	186	8	0	698	7	6
Akyab Ex: Asstt· Comr's Court 2nd Class	3	16	...	8	1,06,907	8	5	11,572	8	0	15,063	14	8
Mrohoung Ex Asstt: Comr's: do. 3rd do	..	27	.	27	12,751	11	6	1,525	0	0	2,678	0	9
Rathaidoung do. do.	...	21	. .	7	7,642	11	2	772	0	0	1,347	15	6
Minbya do. do.	...	. .	. .	9	7,130	3	2	787	13	0	1,372	14	0
Ooyttoung East do. do	. .	...	..	18	4.759	1	4	502	8	0	893	2	9
do West do do	...	...	.	15	5,749	12	5	648	0	0	1,285	9	0
Total. .	...	...	...	9	1,71,328	13	2	18,250	5	0	26,294	5	9
Ramree District												
Deputy Commissioner's Court	...	. .	.	9	116	0	0	12	8	0	27	12	0
Kyouk Phyoo Ex· Asstt. Commrs' Court 1st Class	. .	. .	. .	11	9,386	3	2	1,148	8	0	2 261	6	6
Ramree Extra Asstt. Commrs. Court 3rd Class	. .	...	. .	6	9,685	13	7	1 164	8	0	1,679	4	0
Aeng do do,	...	...	...	17	3,857	14	9	514	13	0	992	13	8
Cheduba do do.	...	...	...	15	3,705	11	1	371	0	0	452	1	0
Total...	...	...	...	11	26 751	10	7	3,211	2	0	5 413	5	2

No IV.—(*Continued*)

	Longest period any case on the file at the close of the year 1868.		Average duration of suits disposed of during the year 1868.		Total amount value of suits instituted during the year 1868.			Amount of Stamps in Law papers filed during the year 1868.			Cost of very description inclusive of Stamps and Pleaders fees incurred by Parties in suits disposed of during the year 1868.		
	Months.	Days.	Months.	Days.	Rupees.	As.	P.	Rupees	As.	P.	Rupees	As.	P.
Sandoway District					*			*					
Deputy Commissioner's Court	...	...	...	10	...	0	0	...	0	0	9	6	4
Sandoway Extra Asstt: Commr Court 2nd Class	1	...	...	10	8,371	12	5	1,060	15	0	1,765	7	5
Northern Division do. 3rd Class ...	...	...	...	9	3,365	15	2	424	11	0	974	15	0
Southern do. do. do.	...	...	...	9	2,577	11	4	321	0	0	669	0	0
Total...	...	...	...	9	14,315	6	11	1,806	10	0	3,418	12	9
Northern Arakan													
Hill Tribes Superintendent's Court ...	...	...	...	2	23	0	0	...	0	0	1	8	0
Assistant Superintendent's do.	...	...	...	...	...	0	0	...	0	0	0	0	0
Total...	...	...	...	2	23	0	0	...	0	0	1	8	0
Grand Total...	...	...	...	7	2,12,418	14	8	23,268	1	0	35,127	15	8

Commissioner's Court	...	...	...	2	475	0	0	3	0	0	5	0	0
Akyab District															
Deputy Commissioner's Court	6	23	1	2	850	5	10	21	0	0	55	15	8
Akyab 1st Asstt: Commr: Court	...	...	...	10	5,672	11	9	6	8	0	56	10	0
2nd do. do.	...	8	...	8	14,790	8	3	54	8	0	129	10	0
Naaf Ex· Asstt. Commr: Court 1st Class	...	...	...	1	4,697	15	6	34	5	0	46	8	9
Koladan do. do,	...	4	....	15	700	13	3	15	0	0	299	9	3
Akyab Extra Asstt Commr. Court 2nd Class	1	4	...	5	1,44,818	12	1	1,067	8	0	1,632	11	0
Mrohoung do· 3rd do.	...	...	...	4	4.527	5	10	30	0	0	173	8	0
Rathaidoung do. do. do.	11	..	...	5	3,451	13	2	23	8	0	118	14	0
Minbya do. do. do.	...	...	...	9	1,172	3	2	15	8	0	60	6	0
Ooyittoung East do. do. do.	...	...	...	18	1,550	15	1	15	8	0	120	12	5
do. West do do. do.	...	. .	. .	15	1,146	3	8	19	4	0	119	9	0
Total	...	...	...	11	1,83,380	11	7	1,302	9	0	2,814	2	1
Ramree District.															
Deputy Commissioner's Court	1	20	...	21	250	1	3	31	8	0	35	0	0
Kyouk Phyoo Extra Asstt: Commr: Court 1st Class	...	...	...	13	7,016	13	7	76	0	0	164	6	0
Ramree Extra Asstt. Commr's: Court 2ndClass	...	...	...	6	6 134	4	3	132	0	0	191	3	0
Aeng do. do. do.	...	...	...	16	785	10	4	9	1	0	52	6	1
Cheduba do. do. do.	...	...	...	4	2,392	4	10	21	9	0	72	6	4
Total...	...	...	...	12	16,579	2	3	270	2	0	515	5	5

No. IV.—*(Continued.)*

Courts	Longest period any case on the file at the close of the year 1868.		Average duration of suits disposed of during the year 1868.		Total amount value of suits instituted during the year 1868.			Amount of Stamps in Law papers filed during the year 1868.			Cost of every description inclusive of Stamps and Pleaders fees incurred by Parties in suits disposed of during the year		
	Months.	Days.	Months.	Days.	Rupees.	As.	P.	Rupees.	As.	P.	Rupees.	As.	P.
Sandoway District.													
Deputy Commissioner's Court	1	...	...	6	460	8	0	11	8	0	28	9	4
Sandoway Extra Asstt: Commr: Court 2nd Class	1	...	...	9	6,807	2	2	154	9	0	419	15	3
Northern Division do 3rd Class ...	...	...	...	10	443	8	6	15	1	0	39	13	7
Southern do do do	...	...	...	13	360	6	6	12	0	0	42	5	0
Total ...	...	...	...	9	8,071	9	2	193	2	0	530	11	2
Northern Arakan.													
Hill Tribes Superintendent's Court ...	...	...*	...	...	...	0	0	...	0	0	...	0	0
Assistant do do	...	...	...	...	...	0	0	...	0	0	...	0	0
Total ...	...	...	...	...	...	0	0	...	0	0	...	0	0
Grand Total ...	...	...	...	6	2,08,506	7	0	1,768	13	0	3,865	2	8

AKYAB,
The 4th March 1869.

* The value of suits disposed of by the Deputy Commissioner is Rupees 20-1-0 and the amount of Stamps filed is Rupees 4-10-0.

J. F. J. STEVENSON.
Commissioner of Arakan.

A.

AVERAGE duration of Suits in the Civil Courts of Arakan Division for 1868 *as called for by Chief Courts' Order Memo. No.* 01992 *dated* 1*st July* 1864.

Courts.	Appeals.		Original.		Miscellaneous.	
	Months	Days	Months	Days	Months	Days
Commissioner's Court	...	7	...	...	...	2
Akyab District.						
Deputy Commissioner's Court...	2	5	...	...	1	2
Akyab 1st Assistant Commissioner's Court ...	...	...	...	...	...	10
„ 2nd Do. Do. ...	...	...	...	3	...	8
Naaf Ex: Asst. Commissioner's Court 1st Class	...	...	...	5	...	1
Koladan Do. Do. Do.	...	...	...	12	...	15
Akyab Do. Do. 2nd Class	...	...	...	8	...	5
Mrohoung Do. Do. 3rd Class	...	...	...	27	...	4
Rathaidoung Do. Do. Do.	...	...	...	7	...	5
Minbya Do. Do. Do.	...	...	...	9	...	9
Ooyittoung East Do. Do. Do.	...	...	...	18	...	18
Do. West Do. Do. Do.	...	...	...	15	...	15
Total.....	2	5	...	9	...	11
Ramree District.						
Deputy Commissioner's Court...	...	7	...	9	...	21
Kyouk Phyoo Ex: Asst. Comr's Court 1st Class	...	...	...	11	...	13
Ramree Do. Do. 3rd Class	...	...	...	6	...	6
Aeng Do. Do. Do.	...	...	...	17	...	16
Cheduba Do. Do. Do.	...	...	...	15	...	4
Total.....	...	7	...	11	...	12
Sandoway District.						
Deputy Commissioner's Court...	...	9	...	10	...	6
Sandoway Ex: Asst. Comr's Court 2nd Class...	...	...	...	10	...	9
Northern Division Do. Do. 3rd Class...	...	...	...	9	...	10
Southern Do. Do. Do. Do. ...	...	...	...	9	...	13
Total.....	...	9	...	9	...	9
Northern Arakan.						
Hill Tribes Superintendent's Court	...	...	...	2		..
Assistant Superintendent's Court	...	...	...	...	...	...
Total.....	...	...	...	2	...	...
Grand Total.....	.	17	...	7	...	6

J. F. J. STEVENSON,
Commissioner of Arakan.

Akyab,
The 4th March 1869.

B.

STATEMENT showing the result of Appeals and Second Appeals in Civil Suits from all the Courts in the Division of Arakan in 1868 *called for by letter No.* 02190 *dated* 12*th June* 1865 *from the Chief Court of British Burma.*

	Number rejected.	Decree for Appellant on trial.	Decree for Respondent on trial.	Otherwise settled or adjusted.	Total
1. From the Deputy Commissioner's to Commissioner of Arakan From Superintendent of Hill Tribes Northern Arakan to ditto.	.....	...	.	...	
2 From Assistant Commissioner's and Extra Assistant Commissioners' of 1st 2nd and 3rd Class to Deputy Commissioner ...	14	78	127	12	231
3. Second Appeals to Commissioner of Arakan	7	1	4	1	13
Total	21	79	131	13	244

AKYAB,
The 4*th March* 1869

J. F. J. STEVENSON.

Commissioner of Arakan.

C.

STATEMENT showing result of Appeals and Second Appeals in all the Courts, Division of Arakan during 1868 *vide Chief Commissioner's letter No.* 284 *dated* 27*th February* 1866.

Courts from which the Second Appeals and Appeals were preferred.	Arakan Division.				
	Decree for Respondent.	Decree of Lower Court reversed or modified.	Rejected.	Otherwise settled.	Total.
From Deputy Commissioners' to Commissioner of Arakan	...	...	...	...	...
" Superintendent of Hill Tribes N. A. to do do	...	...	...	...	...
" Assistant Commissioners' to Deputy Commissioner	18	9	3	1	31
" Ex. Assistant Commissioners' 1st Class to do	24	11	5	2	42
" Ex. Assistant Commissioners' 2nd Class (Tsit-kay) to do ...	43	17	1	4	65
" Ex. Assistant Commissioners' 3rd Class (Myooke's) to do ...	42	41	5	5	93
Second Appeals to Commissioner of Arakan	4	1	7	1	13
Total	131	79	21	13	244

Akyab,
The 4th March 1869.

J. F. J. STEVENSON,
Commissioner of Arakan.

STATEMENT showing the duration of Civil Cases in each during the year 1868 called for by the Chief

Grade of Court.	Number of Cases decided					
	1 Day	2 days.	3 „	4 „	5 „	6 „
Akyab District.						
Deputy Commissioner's Court	...	...	...	...	...	...
Assistant Commissioner's Court	65	20	16	13	9	7
Ex: Assistant Commissioner's 1st Class ...	21	17	31	26	18	17
do. do. 2nd do. ..	34	106	131	87	74	56
do. do. 3rd do. ...	6	20	35	59	71	93
Total... ...	126	163	213	185	172	173
Ramree District.						
Deputy Commissioner's Court	1	...	...	...	..	...
Ex: Assistant Commissioner's 1st Class ...	6	1	2	5	4	6
do. do. 3rd do. ...	8	21	17	27	33	16
Total... ...	15	22	19	32	37	22
Sandoway District.						
Deputy Commissioner's Court	...	..	...	...	...	...
Ex: Assistant Commissioner's 2nd Class ...	6	13	24	22	13	9
do. do. 3rd do. ..	8	19	22	18	12	17
Total.	14	32	46	40	25	26
Northern Arakan.						
Superintendent's Court	...	2	...	...	...	...
Assistant Superintendent's Court	...	...	...	...	...	...
Total.	...	2	...	...	...	...
Grand Total	155	219	278	257	234	221

AKYAB,
The 4th March, 1869.

D.

grade of Court in each District of the Division of Arakan Commissioner's No. 1839 *dated* 16*th August* 1866.

WITHIN DAYS AS UNDER.												
7 „	8 „	9 to 15 Days.	16 „ 24 „	25 „ 30 „	31 „ 45 „	46 „ 60 „	61 to 90 Days.	91 to 120 „	Total number of cases.	Total number of days.	Average duration of each. M	Average duration of each. D	REMARKS.
...	...	...	...	...	...	...	...	...	..	..	...	...	
4	12	4	3	...	...	...	..	...	152	494	..	3.25	
18	15	44	1	4	1	2	2	...	217	1,468	...	6.76	
59	69	72	161	101	88	47	7	3	1,086	8,959	...	8.24	
64	71	120	58	35	20	3	2	1	658	6,738	...	10.24	
145	158	239	223	140	109	52	11	4	2,113	17,659	...	8.35	
...	...	...	1	...	..	..	..	..	2	18	...	9.	
8	3	43	34	14	17	14	7	...	164	3,452	..	21.04	
27	10	83	76	35	18	9	...	1	381	5,049	...	13.25	
35	13	126	111	49	35	23	7	1	547	8,519	...	15.57	
...	...	1	...	...	...	...	...	...	1	10	...	10.	
9	8	41	27	15	9	5	1	...	202	2,110	...	10.44	
11	8	41	11	5	4	2	1	1	180	1,677	...	9.31	
20	16	83	38	20	13	7	2	1	383	3,797	...	9.91	
...	...	...	...	...	...	...	...	...	2	4	...	2.	
...	...	...	...	...	...	...	...	...	...	...	...	...	
...	...	...	...	...	...	...	...	...	2	...	...	2.	
200	187	448	372	209	157	82	20	6	3,045	29,979	...	9.84	

J. F. J. STEVENSON,
Commissioner of Arakan.

E.

STATEMENT shewing the proportion in which Appeals from each grade of Court were decided or otherwise dealt with in the Arakan Division of British Burma during 1868 *called for by Chief Commissioner's No.* 1839 *dated* 16*th August* 1866

	From Deputy Commissioner's Court to Commissioner.	From Superintendent of Hill Tribes N. A. to Commissioner.	From Assistant Commissioner's Court to Deputy Commissioner.	From E. A. Commissioner's 1st Class to Deputy Commissioner.	From Extra Assistant Commissioner's 2nd Class (Tsit-kay's) to Deputy Commissioner.	From Extra Assistantat 3rd Class Myooke's to Deputy Commissioner.	Total.
Judgement confirmed including rejected cases	Per cent. 84.62	Per cent. 0.0	Per cent. 65.52	Per cent. 69.05	Per cent. 63.77	Per cent. 47.47	
Modified or reversed	7.69	0.0	31.03	26.19	24.63	41.41	
Otherwise disposed of...	7.69	0.0	3.45	4.76	5.80	5.05	
Pending..	0.0	0.0	0.0	0,0	5.80	6.06	

AKYAB;
The 4th March 1869.

J. F. J. STEVENSON,
Commissioner of Arakan.

F.

DETAILED Statement of Miscellaneous Cases and those arising under Section 22 of Act 1 of 1863 Instituted disposed of and pending as entered in Columns 4-8-12 and 16 of Statement No. 1 in the Courts of the Arakan Division for the year 1868.

Nature of Cases.	Pending.		Instituted.		Disposed of		Pending.	
	Appeals	Miscellaneous Cases	Appeals	Miscellaneous Cases	Appeals	Miscellaneous Cases	Appeals	Miscellaneous Cases
1. Executive of Decree	...	9	3	1007	3	1001	...	15
2. Objections to attachment of property in execution of Decree	...	1	2	134	2	134	...	1
3. Claims to sue as a pauper	...	...	...	4	...	4	...	...
4. Claims under Act XIX of 1841	...	...	...	1	...	1	...	...
5. Cases under Act XXXVI of 1858	...	...	...	...	...	...	...	...
6. Cases under Act XL of 1858, and Act IX of 1861	...	...	...	5	...	5	...	...
7. Cases under Act XXVII of 1860	...	...	...	23	...	21	...	2
8. All other Miscellaneous Cases not included above	1	4	8	983	8	979	...	9
Total.....	1	14	13	2157	13	2145	...	27

J. F. J. STEVENSON,
Commissioner of Arakan.

Akyab,
The 4th March 1869.

No. 1.

STATEMENT of Suits of every description instituted disposed of, and pending before all the Courts European and Native in the Division of Pegu for the year 1868.

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
Courts.	No. of Suits pending at the close of the year 1867.				Number of Suits instituted during the year 1868.				Number of Cases disposed of during the year 1868.				No. of Cases pending at the close of the year 1868			
	Appeals.	Original suits.	Miscellaneous cases.	Total.	Appeals.	Original suits.	Miscellaneous cases.	Total.	Appeals.	Original suits.	Miscellaneous cases.	Total.	Appeals.	Original suits.	Miscellaneous cases.	Total.
Commr's Court	3	..	1	4	50	...	40	90	45	. .	40	85	8	...	1	9
Cantonment	...	7	...	7	...	230	...	230	..	236	...	236	...	1	.	1
Rangoon District.																
Deputy Commissioner	...	...	. .	...	91	1	8	100	84	1	7	92	7	...	1	8
Assistant do.	...	5	..	5	...	81	57	138	...	75	53	128	...	11	4	15
Extra Asst: Commissioner 1st Class.....	..	1	1	2	...	191	41	232	..	187	42	229	...	5	...	5
Extra Asst: Commissioner 3rd Class.....	.	96	12	108	...	1,645	291	1,936	..	1,724	293	2,017	...	17	10	27
Total . .	...	102	13	115	91	1,918	397	2,406	84	1,987	395	2,466	7	33	15	55

Bassein District.																	
Deputy Commissioner	7	..	...	7	121	...	25	146	117	. .	25	142	11	...	...	11	
Assistant do.	...	6	1	7	...	225	64	289	.	230	65	295	...	1	...	1	
Ex: Asst: do. 1st Class	. .	2	3	5	...	460	86	546	.	459	83	542	...	3	6	9	
do. do. 2nd do.	...	8	...	8	. .	504	140	644	...	511	140	651	..	1	...	1	
do. do. 3rd do.	. .	15	4	19	.	1,547	209	1,756	...	1,554	210	1,761		8	3	11	
Total ..	7	31	8	46	121	2,736	524	3,381	117	2,754	523	3,394	11	13	9	33	
Myanoung District.																	
Deputy Commissioner	96		. .	96	139	..	33	172	136	...	33	169	99	. .	. .	99	
Assistant do.	...	...	. .	...	...	51	21	72	...	51	20	71	.	..	1	1	
Ex: Asst: do. 1st Class	...	...	.	.	...	40	12	52	..	40	12	52	.	.	..	. .	
do. do. 2nd do.	...	...	.	...	...	433	65	498	...	430	65	495	.	3	..	3	
do. do. 3rd do.	..	1	3	4	...	2,248	288	2,536	. .	2,245	291	2,536		4	...	4	
Total ...	96	1	3	100	139	2,772	419	3,330	136	2,766	421	3,323	99	7	1	107	
Prome District.																	
Deputy Commissioner	22	.		22	244	1	108	353	260	1	105	366	6	.	3	9	
Asst. Commissioners..	...	...	. .	...	...	93	74	167	..	91	68	159	...	2	4	6	
Extra Assistant Commissioner 1st Class. .	...	1	. .	1	..	...	...	.	...	1	...	1	...	...	2	2	
Do do 2nd do...	..	10	...	10	..	921	302	1,223	...	925	288	1,213	...	6	14	20	
Do do 3rd do...	...	46	..	46	...	2,005	242	2,247	...	2,023	232	2,255	...	28	10	38	
TOTAL... ...	22	57	...	79	244	3,020	726	3,990	260	3,041	693	3,994	6	36	33	75	

NOTE BY THE DEPUTY COMMISSIONER. The yearly Return for 1867 shews 50 cases pending at the end of the year this was wrong on going through Returns it was found that there were only 40 cases pending before the Myook at the commencement of the year.

No. 1 (*Continued.*)

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
COURTS.	No. of Suits pending at the close of the year 1867.				Number of Suits Instituted during the year 1868.				Number of cases disposed of during the year 1868.				No. of cases pending at the close of the year 1868.			
	Appeals.	Original suits.	Miscellaneous cases.	Total.	Appeals.	Original suits.	Miscellaneous cases.	Total.	Appeals.	Original suits.	Miscellaneous cases.	Total.	Appeals.	Original suits.	Miscellaneous cases.	Total.
Toungoo District.																
Deputy Commissioner	2	...	...	2	138	...	231	369	136	...	231	367	4	...	...	4
Asst. Commissioner	...	3	...	3	...	51	58	109	...	54	58	112	...	...	...	...
Extra Assistant Commissioner 2nd Class...	...	5	...	5	...	715	525	1,240	...	713	524	1,237	...	7	1	8
Do do 3rd do ...	...	...	...	...	...	500	85	585	...	500	85	585	...	...	...	...
Total ...	2	8	...	10	138	1,266	899	2,303	136	1,267	898	2,301	4	7	1	12
GRAND TOTAL ...	130	206	25	361	783	11,942	3,005	15,730	778	12,051	2,970	15,799	135	97	60	292

RANGOON,
20th April 1869.

R. D. ARDAGH, LT. COLONEL,
Commissioner of Pegu.

D

No.

CLASSIFICATION of Appeals and Original Suits instituted before

Column 7 of

	Appeals.								
		Rangoon.		Bassein.		Myan-oung.		Prome.	
	Before Commissioner.	Deputy Commissioner.	Total.	Deputy Commissioner.	Total.	Deputy Commissioner.	Total.	Deputy Commissioner.	Total.
I. Suits Connected with moveable property.									
1. Houses.	...	5	5	10	10	...	...	1	1
2. Land.	32	19	19	14	14	30	30	70	70
3. Mortgage.	...	...	...	1	1	...	...	2	2
4. Fisheries.	...	2	2	2	2	...	...	...	...
5. Inheritance.	...	...	...	...	...	...	...	1	1
6. Other Cases.	1	...	...	1	1	1	1	6	6
II. Suits not Connected with immoveable property.									
1. Debt.	7	32	32	35	35	17	17	43	43
2. Damages for Breach of Contract or loss or injury to property	...	3	3	...	...	...	...	12	12
3. Damages for Personal injuries or wrongs.	4	3	3	13	13	48	48	51	51
4. Marriage or Divorce. ...	...	...	...	...	...	3	3	4	4
5. Inheritance.	...	...	...	2	2	40	40	...	...
6. Other Cases.	6	27	27	43	43	...	...	54	54
TOTAL.	50	91	91	121	121	139	139	244	244

2.

all the Courts in the Division of Pegu during the Year 1868, *as per Statement I.*

ORIGINAL.															
Toungoo.			Rangoon.						Bassein.						
Deputy Commissioner.	Total.	Grand Total.	Cantonment Assistant Commissioner.	Deputy Commissioner.	Assistant Commissioner.	Extra Assistant Commissioner 1st Class.	Extra Assistant Commissioner 3rd Class.	Total.	Deputy Commissioner.	Assistant Commissioner.	Extra Assistant Commissioner 1st Class.	Extra do do 2nd Class.	Extra do do 3rd Class.		Total.
2	2	18	...	...	2	3	12	17	...	...	4	11	6	...	21
25	25	190	...	...	2	6	40	48	...	4	11	11	26	...	52
2	2	5	...	...	...	...	2	2	...	2	...	...	1	...	3
1	1	5	...	...	4	2	10	16	...	...	3	...	11	...	14
1	1	2	...	...	...	...	1	1	...	...	1	1	1	...	3
4	4	13	...	...	...	...	14	14	...	...	...	...	2	...	2
36	36	170	230	...	24	50	406	710	...	162	83	103	501	...	849
8	8	23	...	...	10	41	50	101	...	15	50	191	105	...	361
...	...	119	...	...	1	3	84	88	...	3	54	75	282	...	414
1	1	8	...	...	4	8	101	113	...	4	34	86	145	...	269
3	3	45	...	...	...	8	9	17	...	...	3	4	13	...	20
55	55	185	...	1	34	70	916	1,021	...	35	217	22	454	...	728
138	138	783	230	1	81	191	1,645	2,148	...	225	460	504	1,547	...	2,736

No. 2.

CLASSIFCATION of Appeals and Original Suits instituted before
Column 7 of

ORIGINAL.

	Myanoung.					
	Deputy Commissioner.	Assistant Commissioner.	Extra Assistant Commissioner 1st Class.	Extra do do 2nd Class.	Extra do do 3rd Class.	Total.
I. Suits Connected with moveable property.						
1. Houses	...	...	...	1	6	7
2. Land	...	2	1	27	68	98
3. Mortgage	...	...	1	...	3	4
4. Fisheries	...	...	...	4	...	4
5. Inheritance	...	...	1	...	6	7
6. Other Cases...	...	1	2	18	49	70
II. Suits not Connected with immoveable property.						
1. Debt...	...	19	10	91	487	607
2. Damages for Breach of Contract or loss or injury to property	...	10	6	72	366	454
3. Damages for Personal injuries or wrongs	...	7	5	63	264	339
4. Marriage or Divorce	...	7	4	79	256	346
5. Inheritance	...	...	...	...	2	2
6. Other Cases...	...	5	10	78	741	834
TOTAL	...	51	40	433	2,248	2.772

RANGOON,
20th April 1869.

(Continued.)

all the Courts in the Division of Pegu during the Year 1868, *as per Statement 1.*

ORIGINAL.

Prome.						Toungoo.					
Deputy Commissioner.	Assistant Commissioner.	Extra Assistant Commissioner 1st Class.	Extra do do 2nd Class.	Extra do do 3rd Class.	Total.	Deputy Commissioner.	Assistant Commissioner.	Extra Assistant Commissioner 1st Class.	Extra do do 3rd Class.	Total.	Grand Total.
...	1	...	3	4	8	...	...	3	1	4	57
...	...	...	4	174	178	...	...	2	38	40	416
...	...	...	...	7	7	...	...	...	5	5	21
...	...	...	...	...	...	...	...	1	8	9	43
...	...	...	2	3	5	...	1	27	36	64	80
...	1	...	2	22	25	...	...	...	...	...	111
...	33	...	268	402	703	...	27	277	111	415	3,284
...	...	...	1	69	70	...	5	7	27	39	1,025
..	4	...	18	432	454	...	...	1	...	1	1,296
..	2	...	49	237	288	...	...	82	54	136	1,152
..	...	...	18	2	20	...	...	2	3	5	64
1	52	...	556	653	1,262	...	18	313	217	548	4,393
1	93	...	921	2,005	3,020	...	51	715	500	1,266	11,942

R. D. ARDAGH, Lt. Colonel,

Commissioner of Pegu.

No. 3.

STATEMENT of Suits disposed of by all the Courts in the Division of Pegu during the year 1868.

Suits.	Courts.	Decided on trial.			Decreed Exparte.	Compromised.	Withdrawn dismissed in default or otherwise disposed of.	Transferred or Remanded.	Total.
		Rejected.	In favor of Appellant or Plaintiff.	In favor of Respondent or Defendant.					
APPEALS.	Commissioner's Court ...	6	9	21	...	...	2	7	45
	Rangoon District.								
	Deputy Commissioner ...	...	40	38	...	2	4	...	84
	Bassein District.								
	Deputy Commissioner ...	13	44	43	...	2	9	6	117
	Myanoung District.								
	Deputy Commissioner ...	4	61	52	4	...	15	...	136
	Prome District.								
	Deputy Commissioner ...	2	115	140	...	1	2	...	260
	Toungoo District.								
	Deputy Commissioner ...	...	50	58	...	...	...	28	136
	Total ...	25	319	352	4	5	32	41	778

No. 3 (*Continued.*)

Suits.	Courts.	Rejected	Decided on trial. In favor of Appellant or Plaintiff.	Decided on trial. In favor of Respondent or Defendant.	Decreed Exparte.	Compromised.	Withdrawn dismissed in default or otherwise disposed of.	Transferred.	Total.
ORIGINAL	Cantonment ...	...	59	27	105	10	35	...	236
	Rangoon District								
	Dy. Commissioner.	...	...	1	...	...	...	...	1
	Asst. do ...	...	43	10	1	5	16	...	75
	Ex: Asst. do 1st Class.	...	96	17	13	13	48	...	187
	Do do 3rd „	...	616	155	141	123	689	...	1,724
	Total...	...	755	183	155	141	753	...	1,987
	Bassein District								
	Dy Commissioner.	...	...	...	...	...	...	...	...
	Asst do ...	...	138	1	15	15	61	...	230
	Ex: Asst do 1st Class.	...	206	55	46	73	79	...	459
	Do do 2nd „	...	268	57	35	22	129	...	511
	Do do 3rd „	...	628	220	128	189	389	...	1,554
	Total...	...	1,240	333	224	299	658	...	2,754
	Myanoung District.								
	Dy. Commissioner.	...	...	...	...	...	...	...	...
	Asst. do ...	...	31	6	2	4	8	...	51
	Ex: Asst. do 1st Class.	...	19	5	1	5	10	..	40
	Do do 2nd „	...	214	64	63	22	67	..	430
	Do do 3rd „	...	982	257	233	374	399	...	2,245
	Total..	...	1,246	332	299	405	484	..	2,766

No. 3 *(Continued.)*

Suits	Courts.	Rejected	Decided on trial. In favor of Appellant or Plaintiff	Decided on trial. In favor of Respondent or Defendant.	Decreed Exparte.	Compromised.	Withdrawn dismissed in default or otherwise disposed of	Transferred	Total.
ORIGINAL.	*Prome District*								
	Dy Commissioner ...		...	1	...	...	...	...	1
	Asst do		55	14	3	16	3	...	91
	Ex. Asst, do 1st Class ...		...	...	...	...	...	1	1
	Do do 2nd „ ...		512	79	132	49	147	6	925
	Do do 3rd „	7	973	298	97	238	409	1	2,023
	Total...	7	1 540	392	232	303	559	8	3,041
	Toungoo District.								
	Dy. Commissioner. ...		...	...	...	...	...	...	...
	Asst. do.		37	8	1	3	4	1	54
	Ex: Asst. do. 2nd Class. ...		418	129	101	45	16	4	713
	Do do. 3rd „ ...		282	118	38	47	15	...	500
	Total... ...		737	255	140	95	35	5	1,267
	Grand Total...	7	5,577	1,522	1,155	1,253	2,524	13	12,051

Mergui.														
Deputy Commissioner ...	...	...	...	...	.....	...	...	.....	...	...	.....	...	...
Extra Assistant do. ...	...	...	...	6	17,941	...	1	2,328	10	...	3,443	1	10
Myo-okes ...	...	...	...	5	4,771	12	7	591	...	...	1,496	14	3
Total ...	...	...	...	11	22,712	12	8	2,919	10	...	4,940	...	1
Shwé Gyeen.													
Deputy Commissioner ...	...	...	...	2	169	12	...	18	...	...	19	8	...
Assistant do. ...	...	20	...	3	4,562	5	10	543	8	...	584	...	...
Extra do. do. ...	...	...	...	6	15,950	1	7	1,377	...	...	1,568	10	...
Myo-okes ...	...	25	...	6	35,592	...	7	3,586	8	...	4,089	15	...
Total ...	...	45	...	17	56,274	4	...	5,525	...	...	6,262	1	...
Commissioner's Court ...	...	...	...	28	5,664	6	...	531	...	...	841	11	11
Amherst District													
Deputy Commissioner ...	..	10	...	8	20,620	7	9	1,228	15	...	1,639	6	7
Assistant do ...	...	...	...	...	.....	...	...	.....	...	...	.....	...	...
Extra do. do. ...	...	...	...	...	.....	...	...	.....	...	...	.....	...	..
Myo-okes ...	..	...	...	...	.....	...	...	.....	...	...	.....	...	..
Total ...	..	10	...	8	20,620	7	9	1,228	15	...	1,639	6	7
Tavoy.													
Deputy Commissioner ..	5	28	1	22	7,975	2	11	970	8	...	1,349	3	2
Extra Assistant do.	...	...	...	...	.....	...	...	.....	...	...	.....	...	...
Myo-okes ...	...	...	...	...	.....	...	...	.....	...	...	.....	...	...
Total ...	5	28	1	22	7,975	2	11	970	8	...	1,349	3	2
Mergui.													
Deputy Commissioner ...	...	...	...	12	2,778	5	7	357	6	...	579	12	8
Extra Assistant do. .	...	...	..	...	.....	...	...	.....	...	...	.....	...	...
Myo-okes ..	...	...	...	...	.....	..	...	.....	...	...	.....	...	...
Total ...	...	...	...	12	2,778	5	7	357	6	...	579	12	8

Appeals.

II

No. 4—(*Continued.*)

1	2	3		4		5			6			7			8
	COURTS.	Longest period any case on the file at the close of the year has been pending.		Average duration of Suits disposed of during the year.		Total amount value of Suits instituted during the year.			Value of Stamps on Law papers filed during the year.			Costs of every description inclusive of Stamps and Pleader's fees incurred by parties in Suits disposed of during the year.			REMARKS.
		Months.	Days.	Months.	Days.	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.	
	Shwé Gyeen.														
	Deputy Commissioner	.	18	...	7	11,724	8	..	1,201	..	...	1,356	8	...	
	Assistant do.	...	.	..	..	.....	..	..	.....	...	...	.....	..	...	
	Extra do. do.	.	.	...	...	.....	...	...	.. .	.	...	.....	...	...	
	Myo-okes	...	..	...	...	.....	...	...	.....	...	...	.... .	...	...	
	Total	...	18	...	7	11,724	8	...	1,201	..	...	1,356	8	...	
	Commissioner's Court	...	...	...	1	.....	...	...	163	12	...	163	12	...	
	Amherst District.														
	Deputy Commissioner	1	7	...	6	250	...	...	216	10	...	242	4	...	
	Assistant do.	..	13	...	3	150	1	...	17	...	...	18	...	...	
	Extra do. do.	...	...	...	.....	. ....	...	...	.....	...	..	.....	...	...	
	Myo-okes	...	27	...	15	5,343	12	...	379	15	..	1,479	12	3	
	Total	1	47	...	14	5,743	13	...	613	9	...	1,749	...	3	

Miscellaneous.	Deputy Commissioner ...	...	6	...	1	.....	...	...	103	1	...	163	1	...
	Extra Assistant do. ...	...	7	..	1	.....	...	...	133	3	...	242	3	4
	Myo-okes .	...	6	...	1	. ....	...	...	133	...	...	249	7	7
	Totál ...	...	19	...	3	.....	...	...	369	4	...	594	11	11
	Mergui.													
	Deputy Commissioner .	...	...	...	1	315	5	...	24	13	...	57	7	4
	Extra Assistant do. .	...	...	...	1	397	13	5	301	9	...	587	8	4
	Myo-okes	...	...	...	1	1,572	15	7	19	3	...	72	5	2
	Total ...	...	...	...	3	2,286	2	...	345	9	...	717	4	10
	Shwé Gyeen.													
	Deputy Commissioner ..	...	...	...	2	1,200	8	...	9	8	...	12	8	.
	Assistant do. .	...	6	...	1	614	6	...	9	...	...	17	2	...
	Extra do. do. .	...	..	...	3	916	...	...	14	...	..	18	4	...
	Myo-okes .	...	8	...	2	2,158	8	...	251	8	...	297	13	..
	Total .	...	41	...	8	4,889	6	...	284	...	...	345	11	.
	GRAND TOTAL ..	...	33	...	14	2,37,615	15	9	24,415	9	...	39,704	9	4

MAULMAIN:
Commissioner's Office,
3*rd March*, 1869.

E. M. RYAN, LIEUT-COLONEL,
Officiating Commissioner, Tenasserim Division,
British Burma.

A.

Average duration of suits in the Civil Courts of the Tenasserim Division of British Burma during the year 1868.

Courts.	Appeals.		Original.		Miscellaneous.	
	Months.	Days.	Months.	Days.	Months.	Days.
Commissioner's Court ...	0	28	0	0	0	1
Court of Dy. Commr., Amherst District ...	0	8	2	19	0	6
Ditto. ditto. Tavoy ditto. ...	1	22	0	0	0	1
Ditto. ditto. Mergui ditto. ...	0	12	0	0	0	1
Ditto. ditto. Shwé-Gyeen ditto. ...	0	7	0	2	0	2
Court of Asst. Commr., Amherst District...	0	0	0	18	0	3
Ditto. ditto. Shwé-Gyeen ditto. ...	0	0	0	3	0	2
Court of Extra Assistant Commissioner...						
Court of Tseetkay, Shwé-Gyeen District...	0	0	0	6	0	3
Ditto. Tavoy ditto.	0	0	0	14	0	1
Ditto. Mergui ditto.	0	0	0	6	0	1
Court of Myo-Okes, Amherst District...	0	0	0	25	0	15
Ditto. Tavoy ditto.	0	0	0	12	0	1
Ditto. Mergui ditto.	0	0	0	5	0	1
Ditto. Shwé-Gyeen ditto.	0	0	0	6	0	2
Total average for the Division...	0	21	0	14	0	3

MAULMAIN,
Commissioner's Office.
3rd March 1869.

E. M. RYAN, LIEUT-COLONEL,
Offg. Commissioner, Tenasserim Division
British Burma.

B.

STATEMENT showing the Result of Appeals and Second Appeals in Civil Suits from all the Courts in the Tenasserim Division during the year 1868.

Courts.	Number Rejected.	Decree for Appellant on Trial.	Decree for Respondent on Trial.	Otherwise settled or adjusted.	Total.
Court of the Commissioner, Tenasserim Division - - -	1	5	18	6	30
Court of Deputy Commissioner, Amherst District - - -	20	67	45	7	139
Ditto. ditto. Tavoy ditto	6	54	63	„	123
Ditto. ditto. Mergui ditto	„	21	35	„	56
Ditto. ditto. Shwè Gyeen ditto	5	39	56	8	108
Total. -	32	186	217	21	456

MAULMAIN,
COMMISSIONER'S OFFICE;
3rd March 1869.

E. M. RYAN, LIEUT. COL.
Offg. Commissioner, Tenasserim Division of B. B.

C.

STATEMENT showing the results of Appeals and Second Appeals in all the Courts in the Tenasserim Division of British Burma during the year 1868.

COURTS FROM WHICH THE SECOND APPEALS AND APPEALS WERE PREFERRED.	TENASSERIM DIVISION.				
	Decree for Respondent.	Decree of Lower Court reversed or modified.	Rejected.	Otherwise settled	TOTAL.
2nd Appeals to the Court of the Commissioner, T. D					
From Court of the Deputy Commissioner,					
Amherst District...	9	4	...	...	13
Ditto ditto Tavoy ditto ...	4	1	1	3	9
Ditto ditto Mergui ditto ...	1	...	...	1	2
Ditto ditto Shwé Gyeen ditto ..	4	...	...	2	6
Total...	18	5	1	6	30
Appeals to the Court of the Deputy Commissioner, Amherst District.					
From Court of the Assistant Commissioner,					
Amherst District..	3	3	...	...	6
Ditto Myo-okes ditto ...	42	64	20	7	133
Total.....	45	67	20	7	139
Appeals to the Court of the Deputy Commissioner, Tavoy District.					
From the Court of the Tseetkay, Tavoy District ...	19	22	2	...	43
Ditto Myo-okes ditto ...	44	32	4	...	80
Total.....	63	54	6	...	123
Appeals to the Deputy Commissioner, Mergui District.					
From the Court of the Tseetkay, Mergui District...	27	15	...	...	42
Ditto Myo-okes ditto . .	8	6	...	...	14
Total.....	35	21	..	...	56
Appeals to the Deputy Commissioner, Shwè-Gyeen District					
From the Assistant Commissioner, Shwè-Gyeen District...	1	...	1	..	2
Ditto Tseetkay ditto ...	14	9	1	2	26
Ditto Myo-okes ditto . .	41	30	3	6	80
Total.....	56	39	5	8	108
GRAND TOTAL.....	217	186	32	21	456

E. M. RYAN, LIEUT.-COLONEL,
Offg. Commissioner, Tenasserim Division of B B

MAULMAIN,
COMMISSIONER'S OFFICE,
3rd March 1869.

D.

STATEMENT shewing the duration of Civil Cases in each grade of Court in each District of the Tenasserim Division during the year 1868.

District.	Grade of Court.	Number of Cases decided within days as under.															Total number of Cases.	Total number of days.	Average duration of each case.
		1 day.	2 days.	3 days.	4 days.	5 days.	6 days.	7 days.	8 days.	9 to 15 days.	16 to 24 days.	25 to 30 days.	31 to 45 days.	46 to 60 days.	61 to 90 days.	91 to 120 days.			
Amherst.	Dy. Commr's. Court (original suits)	...	...	...	...	...	...	...	...	...	...	...	...	...	1	...	1	79	79
	Asst. Commr's. Court ,,	...	...	...	1	1	2	1	5	2	2	2	5	1	...	...	22	408	18
	Myo-okes Court ,,	...	...	11	...	215	100	25	125	115	110	119	...	130	...	...	950	23,750	25
	Total.....	...	...	11	1	216	102	26	130	117	112	121	5	131	1	...	973	24,237	25
Tavoy.	Dy. Commr's. Court (original suits)	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
	Tseetkay's Court ,,	13	8	14	20	15	12	21	17	60	52	17	13	9	1	1	273	4,035	14
	Myo-oke's Court ,,	20	22	14	15	21	14	20	13	49	59	20	24	7	6	3	307	3,875	12
	Total.....	33	30	28	35	36	26	41	30	109	111	37	37	16	7	4	580	7,910	13

No. 3 *(Continued.)*

Suits.	Courts.	Rejected.	Disposed of on trial: In favor of Appellant or Plaintiff.	Disposed of on trial: In favor of Respondent or Defendant.	Decreed Exparte.	Compromised.	Withdrawn dismissed in default or otherwise disposed of.	Transferred.	Total.
MISCELLANEOUS.	Commr's. Court....	4	6	...	...	...	26	4	40
	Rangoon District								
	Dy. Commissioner.	...	6	1	...	...	...	...	7
	Asst. do ...	...	34	14	...	4	1	...	53
	Ex; Asst. do 1st Class	...	13	3	...	19	7	..	42
	Do do 3rd „	...	151	29	10	71	32	...	293
	Total...	...	204	47	10	94	40	...	395
	Bassein District.								
	Dy. Commissioner	1	19	4	...	...	1	...	25
	Asst. do ...	...	61	1	...	...	3	...	65
	Ex: Asst. do 1st Class.	...	65	13	...	...	5	...	83
	Do do 2nd „	...	126	11	...	2	1	...	140
	Do do 3rd „	...	191	7	...	7	5	...	210
	Total...	1	462	36	...	9	15	...	523
	Myanoung District.								
	Dy. Commissioner	...	2	...	...	...	31	...	33
	Asst. do ...	...	13	4	...	...	3	...	20
	Ex: do do 1st Class.	...	6	...	...	...	6	...	12
	Do do 2nd „	...	65	...	...	...	...	...	65
	Do do 3rd „	..	245	21	...	22	3	...	291
	Total...	...	331	25	...	22	43	...	421

No. 3 *(Continued.)*

Suits.	Courts.	Rejected.	Disposed of on trial. In favor of Appellant or Plaintiff	Disposed of on trial. In favor of Respondent or Defendant.	Decreed Exparte	Compromised	Withdrawn dismissed in default or otherwise disposed of.	Transferred	Total.
Miscellaneous.	*Prome District.*								
	Dy. Commissioner	7	94	...	...	...	1	3	105
	Asst. do ...	1	33	3	...	11	15	5	68
	Ex: Asst do 1st Class	...	...	...	...	..	...	...	...
	Do do 2nd „	...	216	25	1	19	18	9	288
	Do do 3rd „	1	164	16	1	32	18	..	232
	Total...	9	507	44	2	623	52	17	693
	Toungoo District								
	Dy. Commissioner	15	162	54	...	..	...	...	231
	Asst. do ...	...	32	4	...	1	..	21	58
	Ex: Asst. do 2nd Class	...	439	50	...	4	10	21	524
	Do do 3rd „	...	82	3	..	...	...	...	85
	Total. .	15	715	111	...	5	10	42	898
	Grand Total...	29	2,225	263	12	192	186	63	2,970

RANGOON,
20th April 1869

R D ARDAGH, Lt. Col.
Commissioner of Pegu.

No. 4.

SUPPLEMENTARY Civil Return of the Division of Pegu for the year 1868.

1	2	3		4		5			6			7			8
Suits.	COURTS.	Longest period any case at the close of the year was Pending.		Average duration of suits disposed of during the year.		Total amount of Value of Suits instituted during the year.			Value of Stamps in Law papers filed during the year.			Costs of every description inclusive of Stamps and Pleaders fees incurred by parties in suits disposed of during the year.			
		Months	Days	Months	Days	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.	
Appeals.	Commissioner's Court	...	...	1	19	9,594	11	2	1,094	8	...	1,409	15	...	
	Rangoon District.														
	Deputy Commissioner	...	29	...	27	17,719	2	4	1,887	8	...	3,246	7	9	
	Bassein District.														
	Deputy Commissioner	1	17	2	11	12,935	14	10	1,190	8	6	2,120	15	6	
	Myanoung District.														
	Deputy Commissioner	8	27	5	23	22,297	12	7	1,870	...	...	2,279	2	3	
	Prome District.														
	Deputy Commissioner	1	25	1	9	37,242	14	3	2,296	...	...	3,423	13	4	
	Toungoo District.														
	Deputy Commissioner	...	...	...	13	22,135	7	8	1,375	...	...	1,792	9	6	
	Grand Total...	...	...	...	...	1,21,925	14	10	9,713	8	6	14,272	15	1	

No. 4.—(*Continued*).

1	2	3		4		5			6			7			8
Suits.	COURTS.	Longest period any case on the file has been pending at the close of the year		Average duration of suits disposed of during the year		Total amount of Value of Suits instituted during the year.			Value of Stamps on Law papers filed during the year.			Costs of every description inclusive of Stamps & Pleaders fees incurred by parties in suits disposed of during the year.			
		Months	Days.	Months	Days.	Rs	A.	P.	Rs	A	P.	Rs.	A.	P	
Original.	Cantonment	2	22	...	1	10,734	8	5	966	...	...	256	5	...	A pauper case.
	Rangoon District.														
	Deputy Commissioner ...	...	...	3	10	2,000	..	...	...	...	...	..	...	...	
	Asst Commissioners	4	...	1	23	20,099	8	...	2,015	8	...	1,994	8	...	
	Extra Asst. Commr 1st Class...	..	8	...	7	21,522	14	..	2,243	8	...	2,906	10	6	
	Do. do. 3rd „ ...	1	2	...	13	1,29,288	8	4	14,091	4	...	17,305	1	...	
	Total.....	...	...	...	...	1,72,910	14	4	18,350	4	...	22,296	3	6	
	Bassein District.														
	Deputy Commissioner ...	...	...	...	...	...	...	...	...	...	...	...	...	...	
	Asst do. ...	1	17	..	10	15,089	8	9	1,678	5	...	2,123	5	10	
	Extra Asst. do. 1st Class...	1	8	...	7	35,317	2	3	3,153	1	...	5,151	1	10	
	Do do. 2nd do....	...	24	...	9	26,954	4	3	2,683	2	...	4,884	3	...	
	Do. do. 3rd do....	1	26	...	11	84,897	8	8	9,488	5	...	14,544	2	10	
	Total.....	...	...	...	10	1,62,258	7	11	17,002	13	...	26,702	13	6	

Original

Myanoung District													
Deputy Commissioner ...	...	...	...	...	...	...	...	...	...	...	...	...	...
Assist Commissioner ...	1	10	...	7	9,658	13	4	958	2	...	1,367	14	...
Extra Assist Commr 1st Class	1	4	...	9	8,585	11	...	704	12	...	956	14	...
Do do. do 2nd do	1	15	...	10	41,607	11	...	3,970	9	..	2,357	6	2
Do do do 3rd do.	5	12	...	9	1,07,392	14	5	11,301	4	8	15,737	4	7
Total...	..	...	...	9	1,67,245	1	9	16,934	11	8	20,419	6	9
Prome District													
Deputy Commissioner .	...	...	2	22	420	...	...	88	7	...	65	...	.
Assist Commissioner ...	...	...	.	12	87,796	1	6	5,201	10	..	11,522	11	8
Extra Assist Commr 1st Class	...	...	...	14	..	...	...	...	...	...	...	...	.
Do do do. 2nd do	...	...	. .	8	1,23,496	5	...	11,080	14	...	15,705	14	...
Do do do 3rd do.	...	. .	. .	13	89,863	10	4	18,633	8	...	32,692	10	6
Total.	...	...	...	12	3,01,576	...	10	35,004	7	...	59,986	4	2
Toungoo District													
Deputy Commissioner ...	. .	...	..	. .	...	...	...	...	...	...	..	.	
Assistant Commissioner ...	...	...	. .	15	6,231	10	8	626	...	...	884	7	...
Extra Asst do 2nd Class	8	26	...	11	52,923	2	5	5,558	3	...	8,106	9	...
Do do. 3rd do	...	1	24	5	16,840	4	6	2,021	2	...	3,441	7	3
Total.....	...	...	...	8	75,995	1	7	8,205	5	...	12,432	7	3
GRAND TOTAL.....	...	...	...	11	8,90,720	2	10	96,463	8	8	1,42,093	8	2

No. 4.--(*Continued*).

1	2	3		4		5			6			7			8
Suits.	COURTS.	Longest period any case on the file has been pending during the year.		Average duration of Suits disposed of during year.		Total amount of value of Suits instituted during the year.			Value of Stamps on Law papers filed during the year.			Costs of every description inclusive of Stamps & Pleaders fees incurred by parties in suits disposed of during the year.			
		Months	Days	Months	Days.	Rs.	A.	P.	Rs.	A.	P	Rs.	A.	P.	
Miscellaneous.	Cantonment	...	...	...	4	...	...	...	26	...	...	30	2	...	
	Rangoon District.														
	Deputy Commissioner ...	...	20	...	9	1,007	...	...	21	8	...	45	12	...	
	Asst. do. ...	...	26	...	8	14,144	12	6	111	4	...	382	9	...	
	Extra Asst. do. 1st Class...	...	...	...	9	9,013	...	8	77	9	...	307	11	...	
	Do. do. 3rd do. ...	...	13	...	10	39,201	11	5	349	12	...	1,385	10	3	
	Total.....	...	...	...	10	63,366	8	7	560	1	...	2,121	10	3	
	Bassein District,														
	Deputy Commissioner ...	...	...	...	2	4,861	12	10	32	8	...	65	4	...	
	Asst. do. ...	...	...	...	2	7,830	11	5	88	4	...	253	6	...	
	Extra Asst. do. 1st Class...	...	26	...	6	13,154	3	11	131	12	1	339	14	...	
	Do. do. 2nd do....	...	...	...	3	7,825	6	6	147	...	...	652	9	...	
	Do. do. 3rd do....	...	9	...	13	14,362	2	8	197	4	...	767	2	8	
	Total.....	...	...	...	7	48,034	5	4	596	12	1	2,078	3	8	

Myanoung District.								
Deputy Commissioner ...	...	...	...	1	.....	.....	.....	.....
Assistant do. ...	...	2	.	1	3497 2 ...	40 8 ...	129 7 ...	
Extra Asst. do. 1st Class	...	7	. .	3	12,470	25	100 14 ...	
Do. do. 2nd do	...	5	...	1	21,695 12 1	115 2 ...	267 14 ...	
Do do. 3rd do	...	...	...	9	25,340 7 4	416 5 ...	2,380 15 4	
Total	3	...	...	10	63,003 5 5	596 15 ...	2,87 2 4	
Prome District.								
Deputy Commissioner ..	1	15	...	4	... ...	67 8 ...	109 14 ...	
Assistant do. ...	...	...	...	13	1,50,977 7 10	81 9 ...	325 6 ...	
Extra Asst do 1st Class	...	...	. .	...	... ...	... ...	... ...	
Do. do. 2nd do	6	13	...	11	1,08,793 15 5	315 8 ...	734 10 ...	
Do. do. 3rd do.	1	11	...	10	18,251 3 1	223 1 ...	1,109 9 2	
Total.....	...	..	..	10	2 78,002 10 4	687 10 ...	2,279 7 2	
Toungoo District.								
Deputy Commissioner ...	...	...	...	1	... ...	... ...	106 11 ...	
Assistant do. ...	...	...	...	3	5,651 1 10	48	73 3 ...	
Extra Asst. do. 1st Class	...	...	...	...	... ...	... ...	... ...	
Do. do. 2nd do. ...	...	...	...	5	69,726 9 11	573 2 ...	1,719 ... 2	
Do. do. 3rd do. ...	...	...	...	3	4,191 11 11	93 5 ...	274 5 ...	
Total.....	...	...	...	3	79,569 7 8	714 7 ...	2,173 3 2	
GRAND TOTAL.....	...	...	...	7	5,31,996 5 4	5 181 13 1	11,561 12 7	

RANGOON,
The 20th April 1869

R D ARDAGH, LT. COL.
Commissioner of Pegu.

STATEMENT showing the duration of Civil Cases in each grade of the Courts in the Pegu Division of British Burma during the year 1861.

	Courts.	Number of Cases decided within days as under.																	
		1 day.	2 days.	3 days.	4 days.	5 days.	6 days.	7 days.	8 days.	9 to 15 days.	16 to 24 days.	25 to 30 days.	31 to 45 days.	46 to 60 days.	61 to 90 days.	91 to 120 days.	Total Number of Cases.	Total Number of days.	Month Average duration Days. of each case.
Appeals.	Commissioner of Pegu...	9	...	...	...	...	...	...	...	5	5	1	5	4	6	10	45	2,230	1 19
	Dy. Commr. Rangoon...	1	...	...	...	...	1	...	...	23	25	9	14	4	2	5	84	2,297	... 27
	Do. Bassein ...	14	...	...	...	...	...	...	...	...	2	...	5	3	18	75	117	8,262	2 11
	Do. Myanoung	..	...	...	...	...	...	...	...	..	1	...	...	4	1	130	136	23,568	5 23
	Do. Prome ...	4	2	3	7	...	2	10	1	35	45	21	44	28	36	22	260	10,263	1 9
	Do. Toungoo...	1	...	13	8	5	17	..	19	26	32	13	2	...	...	..	136	1,860	... 13
	Total.....	20	2	16	15	5	20	10	20	84	105	43	65	39	57	232	733	46,250	3 0
	Rangoon.																		
	Canton. Assist. Commr.	230	...	...	...	...	...	...	...	...	...	...	..	...	...	..	230	230	... 1
	Deputy Commissioner...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	1	1	100	3 10
	Assistant do. ...	...	...	...	...	...	4	...	1	2	6	11	16	13	20	2	75	4,006	1 23
	Extra Commr. 1st Class	...	...	...	20	16	36	30	62	16	7	...	..	...	...	...	187	1,385	... 7
	do. do. 3rd do.	...	...	...	519	120	75	81	186	392	149	85	96	21	...	...	1,724	23,112	.. 13
	Total.. ...	...	...	...	539	136	115	111	249	410	162	96	112	34	20	3	1,987	28,603	... 14

Original.

Bassein.																			
Deputy Commissioner...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Assist. Commissioner ...	2	14	17	30	24	21	17	12	44	35	10	2	1	1	...	230	2,293	...	10
Extra Commr. 1st Class	20	72	80	62	41	32	24	21	63	20	6	15	3	...	...	459	3,025	...	7
do. do. 2nd do.	19	39	45	46	43	54	36	39	114	50	6	10	4	5	1	511	5,009	...	9
do. do. 3rd do.	91	116	171	139	126	102	95	104	292	150	75	47	18	22	6	1,554	16,644	...	11
Total.....	132	241	313	277	234	209	172	176	513	255	97	74	26	28	7	2,756	26,971	...	10
Myanoung.																			
Deputy Commissioner...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Assistant do. ...	2	19	6	5	3	2	2	...	4	3	1	3	1	...	...	51	356	...	7
Extra Commr. 1st Class	3	2	4	7	5	3	3	1	4	2	4	2	...	...	...	40	351	...	9
do. do. 2nd do.	80	67	52	37	27	22	19	13	67	34	9	1	2	...	...	430	4,681	...	10
do. do. 3rd do.	371	320	249	157	143	123	89	67	290	201	101	64	30	25	15	2,245	20,996	...	9
Total.....	456	408	311	206	178	150	113	81	365	240	115	70	33	25	15	2,766	26,384	...	9
Prome.																			
Deputy Commissioner...	...	...	...	...	...	...	...	...	...	...	...	...	...	1	...	1	82	2	22
Assistant do. ...	3	13	12	10	6	3	5	4	12	8	3	5	3	3	1	91	1,008	...	12
Extra Commr. 1st Class	...	...	...	...	...	...	...	...	1	...	...	...	...	...	...	1	14	...	14
do. do. 2nd do.	3	64	164	150	124	98	45	43	108	62	20	25	9	6	4	925	7,473	...	8
do. do. 3rd do.	57	159	184	181	158	126	98	92	379	259	98	103	62	43	24	2,023	26,608	...	13
Total.....	63	236	360	341	288	227	148	139	500	329	121	133	74	53	29	3,041	35,185	...	12
Toungoo.																			
Deputy Commissioner...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Assistant do. ..	1	6	10	6	2	7	4	3	6	3	1	1	1	2	1	54	836	...	15
Extra Commr. 2nd Class.	8	94	106	31	81	83	87	56	79	21	11	21	26	2	7	713	7,815	...	11
do. do. 3rd do.	140	105	89	60	26	24	16	13	17	7	2	1	...	...	...	500	1,693	...	3
Total.....	149	205	205	97	109	114	107	72	102	31	14	23	27	4	8	1,267	10,344	...	8
GRAND TOTAL...	1030	1090	1889	1460	945	815	651	717	1890	1017	443	412	194	130	62	12,045	127713	...	11

No. 4. *(Continued).*

Suits.	Districts.	Courts.	Number of Cases Decided within days as under.															Total number of cases.	Total number of days	Average duration of each case.
			1 Day.	2 Days.	3 "	4 "	5 "	6 "	7 "	8 "	9 to 15 days.	16 to 24 days.	25 to 30 days.	31 to 45 days.	46 to 60 days.	61 to 91 days.	91 to 120 days.			
Miscellaneous.	*Rangoon.*	Commissioner of Pegu ...	29	3	1	...	...	2	1	...	2	1	...	...	1	...	...	40	142	4
		Deputy Commissioner ...	1	...	...	1	...	...	...	1	4	...	...	...	...	...	...	7	65	9
		Assistant do- ...	...	...	...	15	...	3	6	11	13	5	...	...	...	...	...	53	442	8
		do. do. 1st Class ...	...	...	...	...	10	6	2	5	11	7	1	...	...	...	...	42	394	9
		do. do. 3rd " ...	...	...	...	5	2	11	28	87	54	91	15	...	...	...	...	293	2,915	10
		Total ...	1	...	...	21	12	20	36	104	82	103	16	...	...	...	...	395	3,816	10
	Bassein.	Deputy Commissioner ...	10	9	4	2	...	...	...	...	...	...	...	...	...	...	...	25	48	2
		Assistant Commissioners ...	52	3	7	...	2	...	...	1	...	...	...	...	...	...	...	65	97	2
		Extra do. 1st Class ...	4	8	2	13	8	4	17	19	7	1	...	...	...	...	...	83	492	6
		do. do. 2nd " ...	94	8	8	6	4	2	1	1	7	8	...	1	...	...	...	140	410	3
		do. do. 3rd " ...	14	15	26	30	12	10	11	13	24	23	16	4	2	8	2	210	2,620	13
		Total ...	174	43	47	51	26	16	29	34	38	32	16	5	2	8	2	523	3.667	7

Miscellaneous.

Myanoung.	Deputy Commissioner	...	33	...	...	...	...	...	...	...	...	...	...	...	...	...	...	33	13	...	1
	Assistant Commissioner	..	19	1	...	...	...	...	...	...	...	...	...	...	...	...	...	20	21	..	1
	Extra Asst. do. 1st Class	..	5	...	...	7	...	...	...	...	...	...	...	...	...	...	...	12	33	...	3
	do. do. 2nd "		54	2	3	4	2	...	...	...	...	...	...	...	...	...	...	65	91	...	1
	do. do. 3rd "		99	22	22	10	9	4	3	1	56	18	43	3	1	...	...	291	2,721	...	9
	Total	...	220	25	25	21	11	4	3	1	56	18	43	3	1	...	...	421	2,397	...	10
Prome.	Deputy Commissioner	...	80	5	3	2	...	1	...	...	2	7	1	4	...	...	...	105	440	...	4
	Assistant Commissioner	...	13	7	6	2	5	1	3	2	5	11	5	5	...	1	2	68	878	...	13
	Extra Asst. do. 1st Class	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
	do. do. 2nd "	...	35	33	40	21	9	13	10	13	34	27	38	6	1	...	8	288	3,250	...	11
	do. do. 3rd "	...	49	26	14	14	15	10	6	12	30	18	14	20	3	1	...	231	301	..	1
	Total	...	177	71	63	39	29	25	19	27	71	63	58	35	4	2	10	693	6,965	...	10
Toungoo.	Deputy Commissioner	...	226	...	...	...	..	...	...	...	5	...	...	...	...	..	...	231	301	...	1
	Assistant Commissioner	...	40	3	3	6	..	..	1	1	2	1	1	...	...	...	...	58	166	...	3
	Extra Asst. do. 2nd Class	...	113	98	43	25	49	73	69	27	21	3	1	2	..	...	...	524	2,373	...	5
	do. do. 3rd "	...	56	12	7	3	7	..	...	...	...	...	...	...	...	...	.	85	142	...	3
	Total	...	435	113	53	34	56	73	70	28	28	4	2	2	...	...	...	898	2,982	...	3
	GRAND TOTAL	...	1026	255	189	166	134	140	158	194	277	221	135	45	8	10	12	2970	19,969	...	7

RANGOON,
20th April 1869

R. D. ARDAGH, LT. COLONEL,
Commissioner of Pegu.

A.

STATEMENT shewing the duration of Civil Suits in the Several Courts of the Pegu Division for the year 1868.

		Commissioner of Division.		Rangoon		Bassein.		Myanoung.		Prome.		Toungoo.	
		M.	D.	M.	D.	M.	D.	M.	D.	M.	D.	M.	D.
Appeals.	Commissioner of Division.	1	19	...	...	...	...	...	...	...	...	...	...
	Deputy Commissioners ...	...	...	27	27	2	11	5	23	3	9	...	13
Original.	Deputy Commissioners ...	...	...	3	10	...	...	...	...	2	22	...	...
	Assistant do. ...	...	...	1	23	...	10	...	7	...	12	...	15
	Extra do do. 1st Class...	...	...	...	7	...	7	...	9	...	14	...	...
	do. do. do. 2nd do. ...	...	...	...	...	...	9	...	10	...	8	...	11
	do. do. do. 3rd do. ...	...	...	...	13	...	11	...	9	...	13	...	3
Miscellaneous.	Commissioner of Division.	...	4	...	...	...	...	...	...	...	...	...	...
	Deputy Commissioner ...	...	...	...	9	...	2	...	1	...	4	...	1
	Assistant do. ...	...	...	...	8	...	2	...	1	...	13	...	3
	Extra do. do. 1st. Class...	...	...	...	9	...	6	...	3	...	...	...	...
	do. do. do. 2nd. do. ...	...	...	...	...	...	3	...	9	...	11	...	5
	do. do. do. 3rd. do. ...	...	...	...	10	...	13	...	9	...	10	...	3

RANGOON.
20th April, 1869.

R. D. ARDAGH,
Commissioner of Pegu.

C.

STATEMENT shewing the result of Appeals and second Appeals in Civil Suits from each class of Courts in the Pegu Division of British Burma.

	Decree for Respondent.	Decree of Lower Court reversed or Modified.	Rejected.	Otherwise settled.	Total.
Regular Appeals.					
From Deputy Commissioners to Commissioner of Division.	...	...	...	...	...
" Assistant Commissioners to Deputy Commissioners	17	15	6	6	44
" Extra Assistant Commissioners 1st Grade to Deputy Commissioners ...	7	20	...	4	31
" Extra Assistant Commissioner's 2nd Grade to Deputy Commissioners ...	95	83	19	6	203
" Extra Assistant Commissioners 3rd Grade to Deputy Commissioners ...	191	217	20	27	455
2nd Appeals.					
To Commissioner of Division	21	9	6	9	45
Grand Total ...	331	344	51	52	778

RANGOON,
20th April 1869.

R. D. ARDAGH,
Commissioner of Pegu.

E.

STATEMENT showing the proportion in which Appeals from each Grade of Court were decided or otherwise dealt with in the Pegu Divison of British Burma.

	From Deputy Commissioner to Commissioner.		From Assistant Commissioners to Deputy Commissioners.		From Extra Assistant Commissioners 1st Class to Deputy Commissioners.		From Extra Assistant Commissioners 2nd Class to Deputy Commissioners.		From Extra Assistant Commissioners 3rd Class to Deputy Commissioners.	
Judgement confirmed including rejected Cases	27	50.94	23	44.23	7	21.87	114	47.90	211	39.23
Modified or reversed	9	16.98	15	28.84	20	62.50	83	34.87	217	40.33
Otherwise disposed of	9	16.98	6	11.54	4	12.50	6	2.52	27	5.02
Pending	8	15.10	8	15.39	1	3.12	35	14.71	83	15.42

RANGOON,
20th April 1869.

R. D. ARDAGH,
Commissioner of Pegu.

No.

STATEMENT of Suits of every description European and Native, in the Division of

1		2	3	4	5	6	7	8	9
		No. of Suits pending at the close of 1867.				No. of Cases instituted during 1868.			
	Courts.	Appeals.	Original Suits.	Miscellaneous Cases.	Total	Appeals.	Original Suits.	Miscellaneous Cases.	Total.
	Commissioner's Court	2	„	„	2	28	„	77	105
	Total	2	„	„	2	28	„	77	105
Amherst.	Depty Commr:... ...	28	„	1	29	114	1	445	560
	Assistant do, ...	„	8	„	8	„	17	30	47
	Extra do. ...	„	„	„	„	„	„	„	„
	Myo-okes	„	56	16	72	„	970	427	1,397
	Total	28	64	17	109	114	988	902	2,004
Tavoy.	Deputy Commr: ...	6	„	„	6	132	„	42	174
	Extra Asst: do. ...	„	4	„	4	„	295	97	392
	Myo-okes	„	„	„	„	„	309	58	367
	Total	6	4	„	10	132	604	197	933
Mergui.	Deputy Commr: ...	„	„	„	„	56	„	197	253
	Extra Asst: do. ...	„	„	„	„	„	530	475	1,005
	Myo-okes	„	„	„	„	„	167	126	293
	Total	„	„	„	„	56	697	798	1,551
Shwegyeen	Deputy Commr: ...	12	„	„	12	106	1	18	125
	Assistant do.	„	4	„	4	„	18	12	30
	Extra do.	„	„	„	„	„	305	19	324
	Myo-okes	„	11	„	11	„	658	189	847
	Total	12	15	„	27	106	982	238	1,326
	Grand Total	48	83	17	148	436	3,271	2,212	5,919

MAULMAIN,
Commissioner's Office,
3rd March 1869.

1.

instituted, disposed of, and pending before all the Courts, Tenasserim of British Burma during the year 1868.

10	11	12	13	14	15	16	17	
No. of Cases disposed of during 1868.				No. of Cases pending at the close of 1868				REMARKS.
Appeals.	Original Suits.	Miscellaneous Cases.	Total	Appeals	Original Suits.	Miscellaneous Cases.	Total.	
30	„	77	107	„	„	„	„	
30	„	77	107	„	„	„	„	
139	1	443	583	3	„	3	6	
„	22	28	50	„	3	2	5	
„	„	„	„	„	„	„	„	
„	950	404	1,354	„	76	39	115	
139	973	875	1,987	3	79	44	126	
123	„	42	165	15	„	„	15	
„	273	97	370	„	26	„	26	
„	307	58	365	„	2	„	2	
123	580	197	900	15	28	„	43	
56	„	197	253	„	„	„	„	
„	530	475	1,005	„	„	„	„	
„	167	126	293	„	„	„	„	
56	697	798	1,551	„	„	„	„	
108	1	18	127	10	„	„	10	
„	20	10	30	„	2	2	4	
„	305	19	324	„	„	„	„	
„	667	188	855	„	2	1	3	
108	993	235	1,336	10	4	3	17	
456	3,243	2,182	5,881	28	111	47	186	

E. M. RYAN, LIEUTENANT COLONEL,
Offg. Commissioner, Tenasserim Division of British Burma.

No.

CLASSIFICATION of Appeals and Original Suits instituted he year 1868, *as per Columns*

	APPEALS.																	
		AMHERST.				TAVOY.				MERGUI				SHWE-		
	Before Commissioner.	Deputy Commissioner.	Assistant Commissioner.	Ex: Assistant Commissioner.	Myo-okes.	Total.	Deputy Commissioner.	Ex: Assistant Commissioner.	Myo-okes.	Total.	Deputy Commissioner.	Ex: Assistant Commissioner.	Myo-okes.	Total.	Deputy Commissioner.	Assistant Commissioner.	Ex: Assistant Commissioner.
I. Suits connected with immovable Property.																	
1. Houses	2	11	„	„	„	11	5	„	„	5	„	„	„	„	„	„	„
2. Lands...	14	22	„	„	„	22	39	„	„	39	5	„	„	5	17	„	„
3. Mortgages	„	„	„	„	„	„	1	„	„	1	„	„	„	„	„	„	„
4. Fisheries	„	1	„	„	„	1	„	„	„	„	„	„	„	„	„	„	„
5. Inheritance	2	1	„	„	„	1	6	„	„	6	1	„	„	1	1	„	„
6. Other Cases	1	4	„	„	„	4	1	„	„	1	„	„	„	„	„	„	„
II. Suits not connected with immovable Property.																	
1. Debt...	1	15	„	„	„	15	8	„	„	8	25	„	„	25	50	„	„
2. Damages for Breach of Contract or loss or injury to property..	1	11	„	„	„	11	16	„	„	16	8	„	„	8	15	„	„
3. Damages for personal injuries and wrongs	„	2	„	„	„	2	5	„	„	5	1	„	„	1	„	„	„
4. Marriage or Divorce...	„	3	„	„	„	3	4	„	„	4	1	„	„	1	1	„	„
5. Inheritance	1	2	„	„	„	2	4	„	„	4	2	„	„	2	2	„	„
6. Other Cases	6	42	„	„	„	42	43	„	„	43	13	„	„	13	20	„	„
TOTAL	28	114	„	„	„	114	132	„	„	132	56	„	„	56	106	„	„

MAULMAIN.
Commissioner's Office
3rd March 1869.

fore all the Courts in the Division of Tenasserim during the 6 and 7 of Statement, No. 1.

ORIGINAL.																								
GYEEN.			AMHERST.					TAVOY.				MERGUI.				SHWE-GYEEN.								
Myo-okes.	Total.	Grand Total.	Deputy Commissioner.	Assistant Commissioner.	Ex: Assistant Commissioner.	Myo-okes.	Total.	Deputy Commissioner.	Ex: Assistant Commissioner.	Myo-okes.	Total.	Deputy Commissioner.	Ex: Assistant Commissioner.	Myo-okes.	Total.	Deputy Commissioner.	Assistant Commissioner.	Ex: Assistant Commissioner.	Myo-okes.	Total.	Grand Total.			
„	„	18	„	1	„	22	23	„	5	1	6	„	9	2	11	„	„	9	5	14	54			
„	17	97	„	1	„	65	66	„	22	44	66	„	10	6	16	„	4	5	37	46	194			
„	„	1	„	„	„	5	5	„	4	1	5	„	1	1	2	„	„	5	11	16	28			
„	„	1	„	„	„	2	2	„	„	1	1	„	2	„	2	„	„	„	2	2	7			
„	1	11	„	„	„	3	3	„	2	13	15	„	3	6	9	„	„	5	1	6	33			
„	„	6	„	„	„	26	26	„	3	7	10	„	2	23	25	„	„	18	12	30	91			
„	50	99	„	5	„	324	329	„	62	51	113	„	135	30	165	1	7	251	374	633	1240			
„	15	51	„	1	„	74	75	„	75	52	127	„	46	11	57	„	4	„	38	42	301			
„	„	8	„	„	„	12	12	„	8	22	30	„	„	4	4	„	„	1	11	12	58			
„	1	9	„	„	„	24	24	„	6	14	20	„	38	17	55	„	„	11	16	27	126			
„	2	11	„	2	„	4	6	„	2	23	25	„	„	1	1	„	3	„	6	9	41			
„	20	124	1	7	„	409	417	„	106	80	186	„	284	66	350	„	„	„	145	145	1098			
„	106	436	1	17	„	970	988	„	295	309	604	„	530	167	697	1	18	305	658	982	3271			

E. M. RYAN LIEUT: COLONEL,
Offg: Commr: Tenasserim Division of British Burma.

No. 3.

DETAIL of Suits disposed of by all the Courts in the Division of Tenasserim, during the year 1868.

Description of Suits.		Rejected.	Decided on Trial.		Decreed *ex-parte*.	Compromised.	Withdrawn or dismissed in default.	Transferred.	Total.	Remarks.
			In favor of Appellant or Plaintiff.	In favor of Respondent or Defendant.						
Appeals.	Commissioner's Court	1	5	18	...	...	6	...	30	
	Amherst District.									
	Deputy Commissioner	20	67	45	...	2	5	...	139	
	Assistant do.	...	...	...	...	...	...	...	...	
	Extra do. do.	...	...	...	...	...	...	...	...	
	Myo-okes	...	...	...	...	...	...	...	...	
	Total...	20	67	45	...	2	5	...	139	
	Tavoy District.									
	Deputy Commissioner	6	54	63	...	...	...	...	123	
	Extra Assistant do.	...	...	...	...	...	...	...	...	
	Myo-okes	...	...	...	...	...	...	...	...	
	Total...	6	54	63	...	...	...	...	123	
	Mergui District.									
	Deputy Commissioner	...	21	35	...	...	...	...	56	
	Extra Assistant do.	...	...	...	...	...	...	...	...	
	Myo-okes	...	...	...	...	...	...	...	...	
	Total...	...	21	35	...	...	...	...	56	

ORIGINAL CASES.

Shwè Gyeen District.									
Deputy Commissioner	5	39	56	...	...	2	6	108
Assistant do.	...	...	...	...	...	...	...	...
Extra do. do.	..	...	...	...	...	...	...	...
Myo-okes	...	...	...	..	...	...	...	...
Total...	5	39	56	...	...	2	6	108
GRAND TOTAL.....	32	186	217	...	2	13	6	456
Amherst District.								
Deputy Commissioner	...	...	1	...	...	...	...	1
Assistant do.	...	9	9	1	...	3	...	22
Extra do. do.	...	...	...	...	...	...	...	...
Myo-okes	9	472	204	23	86	152	4	950
Total...	9	481	214	24	86	155	4	973
Tavoy District.								
Deputy Commissioner	...	...	...	...	...	...	...	...
Extra Assistant do.	4	170	39	6	52	2	...	273
Myo-okes	4	178	93	1	27	2	2	307
Total...	8	348	132	7	79	4	2	580
Mergui District.								
Deputy Commissioner	...	...	...	...	...	...	...	...
Extra Assistant do.	2	384	47	33	4	60	..	530
Myo-okes	...	124	37	2	1	3	...	167
Total...	2	508	84	35	5	63	...	697
Shwè Gyeen District.								
Deputy Commissioner	...	1	...	...	...	...	...	1
Assistant do.	...	13	3	...	3	1	...	20
Extra do. do.	...	165	53	...	39	48	...	305
Myo-okes	22	325	98	30	115	77	...	667
Total...	22	504	154	30	157	126	...	993
GRAND TOTAL.....	41	1841	584	96	327	348	6	3243

No. 3.—*(Continued.)*

Description of Suits.		Rejected.	Decided on Trial.		Decreed *ex-parte*.	Compromised.	Withdrawn or dismissed in default.	Transferred.	Total.	Remarks.
			In favor of Appellant or Plaintiff.	In favor of Respondant or Defendant						
Miscellaneous.	Commissioner's Court	6	14	51	...	...	4	2	77	
	Amherst District.									
	Deputy Commissioner	59	358	13	...	1	1	11	443	
	Assistant do.	1	12	2	...	...	...	13	28	
	Extra do. do.	...	...	...	...	...	...	...	...	
	Myo-okes	58	213	59	16	28	28	2	404	
	Total...	118	583	74	16	29	29	26	875	
	Tavoy District.									
	Deputy Commissioner	3	25	10	...	...	...	4	42	
	Extra Assistant do.	...	79	13	...	5	...	...	97	
	Myo-okes	...	46	10	...	2	...	...	58	
	Total...	3	150	33	...	7	...	4	197	
	Mergui District.									
	Deputy Commissioner	44	106	35	...	12	...	...	197	
	Extra Assistant do.	...	435	6	4	2	28	...	475	
	Myo-okes	...	123	2	...	...	1	...	126	
	Total...	44	664	43	4	14	29	...	798	

Shwè Gyeen District.									
Deputy Commissioner	1	12	2	...	...	...	...	...	18
Assistant do.	...	8	...	...	2	...	...	...	10
Extra do. do.	...	6	4	...	4	5	...	...	19
Myo-okes	2	114	37	2	25	8	...	...	188
Total...	6	140	43	2	31	13	...	...	235
GRAND TOTAL.....	177	1551	244	22	81	75	32		2182

E. M. RYAN,—*Lieut.-Colonel,*
Offg. Commissioner, Tenasserim Division of B. B.

MAULMAIN,
Commissioner's Office,
3rd March 1869.

No. 4.

SUPPLEMENTARY Civil Return of the Division of Tenasserim, for the year 1868.

1	2	3		4		5			6			7			8
	COURTS.	Longest period any case on the file at the close of the year has been pending.		Average duration of Suits disposed of during the year.		Total amount value of Suits instituted during the year.			Value of Stamps on Law papers filed during the year.			Costs of every description inclusive of Stamps and Pleader's fees incurred by parties in Suits disposed of during the year.			REMARKS.
		Months.	Days.	Months.	Days.	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.	
Original.	Commissioner's Court....	...	...	...	...	.....	...	...	.....	...	...	.....	...	...	
	Amherst District.														
	Deputy Commissioner...	...	...	2	19	2,905	...	...	216	1	...	312	...	...	
	Assistant do. ...	3	16	...	18	14,151	...	...	872	14	...	1,655	11	...	
	Extra do. do. ...	...	...	...	...	.....	...	...	.....	...	...	.....	...	...	
	Myo-okes ...	17	24	...	25	53,752	3	8	5,744	1	...	11,027	5	9	
	Total ...	...	...	...	...	70,808	3	8	6,833	...	...	12,995	...	9	
	Tavoy.														
	Deputy Commissioner...	...	...	...	...	.....	...	...	.....	...	...	.....	...	...	
	Extra Assistant do. ...	9	3	...	14	13,230	12	2	1,434	9	...	2,526	15	8	
	Myo-okes ...	4	19	...	12	12,907	12	1	1,638	7	...	3,652	5	6	
	Total ...	...	...	...	...	26,138	8	3	3,073	...	...	6,179	5	2	

MERGUI.	Dy. Commr's Court (original suits)		...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
	Tseetkay's Court	„	22	178	65	44	37	28	28	16	55	11	9	13	1	...	3	530	3,302	6
	Myo-oke's Court	„	8	50	29	21	17	7	10	4	7	8	2	3	1	.....		167	928	5
	TOTAL.....		30	228	114	65	54	35	38	20	62	19	11	16	2	...	3	697	4,230	6
SHWE-GYEEN.	Dy. Commr's. Court (original suits)		...	1	...	...	...	...	...	...	...	...	...	...	...	.....		1	2	2
	Asst. Commr's. Court	„	...	7	3	8	...	1	1	...	...	...	...	...	...	.....		20	68	3
	Tseetkay's Court	„	...	30	55	35	36	34	52	43	12	3	5	...	...	.....		305	1,960	6
	Myo-okes Court	„	18	94	91	89	120	80	68	43	24	22	13	5	...	.....		667	3,987	6
	TOTAL.....		18	132	149	132	156	115	121	86	36	25	18	5	...	.....		993	6,017	6

MAULMAIN,
Commissioner's Office,
The 3rd March 1869.

E. M. RYAN, LIEUT-COLONEL.
Offg. Commissioner, Tenasserim Division, British Burma.

E.

***STATEMENT** shewing the Proportion in which Appeals from each Grade of Court were decided or otherwise dealt with in the Tenasserim Division during the year* 1868.

District.		From Deputy Commissioner's Court to Commissioner's.	From Assistant Comms. Court to Deputy Commissioner.	From Ex: Assistant Commissioner's Court to Deputy Commissioner.	From Ex: Assistant Commissioner's 2nd Class Tseetkays to Dy. Commissioner.	From Ex: Assistant Cymmissioner's 3rd Class Myo-okes to Dy: Commissioner.
Amherst.	Judgement confirmed including rejected cases	69.3.	50.0.	"	"	45.6.
	Reversed or modified - - - - - -	30.7.	50.0.	"	"	47.
	Otherwise disposed of - - - - - -	"	"	"	"	5.2.
	Pending - - - - - - - - -	"	"	"	"	2.2.
Tavoy.	Judgement confirmed including rejected cases	55.5.	"	"	44.7.	52.2.
	Reversed or modified - - - - - -	11.2.	"	"	46.8.	35.1.
	Otherwise disposed of - - - - - -	33.3.	"	"	"	"
	Pending - - - - - - - - -	"	"	"	8.5.	12.1.

MERGUI.	Judgement confirmed including rejected cases	50.0.	"	"	64.3.	57.2.
	Reversed or modified	"	"	"	35.7.	42.8.
	Otherwise disposed of	50.0.	"	"	"	"
	Pending	"	"	"	"	"
SHWE-GYEEN.	Judgement confirmed including rejected cases	66.6.	100.0.	"	51.7.	50.6.
	Reversed or modified	"	"	"	31.1	34.4.
	Otherwise disposed of	33.4.	"	"	6.9.	6.9.
	Pending	"	"	"	10.3.	8.1.
TENASSERIM DIVISION.	Judgement confirmed including rejected cases	63 4.	62.5.	"	53.4	49.4.
	Reversed or modified	16.6.	37.5.	"	38.1.	40.3.
	Otherwise disposed of	20.0.	"	"	2.6.	3.9.
	Pending	"	"	"	5.9.	6.4.

MAULMAIN,
COMMISSIONER'S OFFICE,
3rd March 1869.

E. M. RYAN, *Lieut. Colonel.*
Officiating Commissioner, Tenasserim Division, of British Burma.

F.

DETAILED STATEMENT of Miscellaneous Cases and those arising under Section 22, of Act 1 of 1863, instituted, disposed of, and pending as entered in columns 4, 8, 12, and 16 of Statement No. 1 in the Courts of the Tenasserim Division for the year 1868.

NATURE OF CASES.	PENDING.		INSTITUTED.		DISPOSED OF.		PENDING.	
	Appeals.	Miscellaneous Cases.	Appeals.	Miscellaneous Cases.	Appeals.	Miscellaneous Cases.	Appeals.	Miscellaneous Cases.
Amherst District.								
Letters of administration under Act XXVII of 1860.	„	„	„	5	„	5	„	„
Application for probate under Act X of 1865.	„	„	„	1	„	1	„	„
Intestate Estate.	„	„	„	11	„	11	„	„
Interlocutory orders.	„	„	„	340	„	311	„	29
Application for Review of Judgement.	„	„	„	10	„	9	„	1
Objection to attachment of property in Execution of Decrees.	„	„	„	20	„	20	„	„
Application for execution of Decrees from Recorder's Courts.	„	„	„	50	„	50	„	„
Do. other Courts.	„	„	„	265	„	265	„	„
For withdrawal and payment of Deposits.	„	„	„	50	„	50	„	„
Report in Civil Cases.	„	17	„	150	„	153	„	14
Total....	„	17	„	902	„	875	„	44

Tavoy District								
Cases arising under Section 22 of Act I of 1863 -	...	...	...	1	...	1	...	...
Application for Certificate for the collection of debts on succession - - - - - - - -	...	...	...	4	..	4	...	...
Proceedings and Reports from the Extra Asst: Commissioner's 2nd, 3rd, 4th and 5th Classes -	...	...	...	26	..	26	...	...
Applications for execution of Decrees - - -	...	...	4	117	4	117	..	...
Miscellaneous Cases referred by the Deputy Commissioner - - - - - - - - -	...	...	...	26	...	26	...	...
All other Miscellaneous Cases. - - - - -	...	...	3	16	3	16	...	...
Total...	...	...	7	190	7	190	..	..
Mergui District.								
Application for Copy of Decree - - - - -	...	...	...	181	...	181	...	...
Petition to decide the Case according to Custom -	...	...	...	3	...	3	...	...
Petition regarding cost of suit. - - - - -	...	...	..	6	...	6	...	...
Petition for Certificate of Administration - -	...	...	...	2	...	2	...	...
Application for situation. - - - - - -	...	...	...	7	...	7	..	...
Execution of Decree. - - - - - -	...	...	...	158	...	158	...	...
Application for review of judgement. - - -	...	...	...	3	...	3	..	...
Miscellaneous Petition. - - - - - -	...	...	...	438	...	438	...	...
Total...	...	...	...	798	...	798	...	...

F.—*(Continued)*

NATURE OF CASES	PENDING		INSTITUTED		DISPOSED OF		PENDING	
	Appeals	Miscellaneous Cases	Appeals	Miscellaneous Cases	Appeals	Miscellaneous Cases	Appeals	Miscellaneous Cases
Shwè Gyeen District								
Application for Execution of Decrees and with drawal of Warrants	...	...	...	147	.	147	...	...
Do Do restoration of property in custody of the Courts	..	...	...	63	.	63	...	..
Do Do Certificate to administer to intestate Estates	..	..	...	1	...	1	.	.
Other Miscellaneous Civil Cases	..	...	..	27	...	24	.	3
Total	..	...	..	238	.	235	.	3

MAULMAIN:
Commissioner's Office,
3rd *March* 1869

E M RYAN LIEUT-COLONEL,
Officiating Commissioner, Tenasserim Division, of British Burma.

British Burma.

HOME DEPARTMENT.

(JUDICIAL)

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REPORT ON CIVIL JUSTICE,

FOR

1869.

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MEMORANDUM

BY

MAJOR GENERAL A. FYTCHE, CHIEF COMMISSIONER, BRITISH BURMA,

ON THE

ADMINISTRATION OF CIVIL JUSTICE,

FOR 1869.

INTRODUCTION.

The following Statement will shew the number and distribution of the several Civil Courts in British Burma during the year 1869 :—

Courts.	Akyab.	Ramree.	Sandoway.	Rangoon.	Bassein.	Myanoung.	Prome.	Tounguo.	Amherst.	Shwé-Gyeen.	Tavoy.	Mergui.	Total.
Chief Commr's. Court or Court of the 6th Grade.	0	0	0	1	0	0	0	0	0	0	0	0	1
Do. of the Commr. or Court of the 5th Grade.	1	0	0	1	0	0	0	0	1	0	0	0	3
Do. of the Dy. Commr. or Court of the 4th Grade.	*2	1	1	1	1	1	1	1	1	1	1	1	13
Do. of the Asst. and 1st Class Ex. Asst. Commr. or Court of the 3rd Grade... ...	2	0	0	3	3	4	3	1	4	2	0	0	22
Do. of 2nd Class Ex. Asst. Commr. or Court of the 2nd Grade....	1	0	1	0	1	1	1	1	0	1	1	1	9
Do. of the 3rd Class Extra Asst. Commr. or Court of the 1st Grade	†8	3	2	9	9	9	9	8	11	5	3	3	71
Total ...	14	4	4	15	14	15	14	11	17	9	5	5	127

* This includes the Court of the Superintendent of Hill Tribes

† Including the Court of the Assistant to the Superintendent of Hill Tribes.

PART I.

ORIGINAL SUITS.

2. The number of Original Suits instituted during the year was 19,957 against 18,259 in 1868.

Increase in the number of Suits instituted.

3. The increase occurred in the following Districts :—

Districts.	1868.	1869.	Increase.
Akyab	2,114	2,750	636
Ramree...	546	624	78
Sandoway	384	393	9
Northern Arakan	2	15	13
Rangoon...	2,148	2,631	483
Bassein...	2,736	3,136	400
Myanoung	2 772	2,866	91
Prome	3,020	3,333	313
Shwè-gyeen	982	996	14

4. The most remarkable was in the Akyab District, where the number of suits instituted increased 30 per cent. The next greatest increase is in the Rangoon District, where it was 22 per cent and in the Bassein District 12 per cent.

5. The falling off occurred in the Amherst, Tavoy, and Mergui Courts of the Tenasserim Division, and in the Toungoo Courts of the Pegu Division. The decrease was in no case large. The greatest being in the Toungoo District where the number of cases was 131 less than in the preceding year.

6. The causes of the increase and decrease in litigation in the several Districts are explained variously :—

The Deputy Commissioner of Akyab states as follows :—

"The increase of 5 Regular Suits is due, in the Dis-
"trict Court, to an embezzlement by the Treasurer of the
"Branch Bank of Bengal, at Akyab; who having absconded
"with a large sum of money, necessitated the Bank to sue his
"sureties and others implicated in the frauds; and in the other
"Courts to a general depression in the money market caused
"by losses incurred through the cattle murrain, and the de-
"structive effects of the Cyclone.

"The people were obliged in consequence, to resort extensively to loans, both on mortgages and otherwise, for the recovery of which the aid of the Courts had to be called in, the same stress, which compelled people to borrow, rendering them generally unable or unwilling to repay."

For Ramree, the Deputy Commissioner explains:—

"The increase is distributed pretty well over all the Courts of original jurisdiction and may be accounted for as a natural reaction after the depression existing in 1868, which showed 99 cases less than in 1867."

The Deputy Commissioner of Amherst gives the following reasons for the decrease in his District:—

"Civil litigation has doubtless declined during the year as compared with 1868, but it is impossible to refer such decline to any one cause, the effect of the Stamp Act of 1867, must have been felt in 1868, it was still in excess of what it was in 1867, in which there were only 97 Appeals and 898 Original Suits against 105 and 917 in 1869, it therefore cannot be affirmed that the Act had any thing to do with the decrease; the most probable causes are the bad harvest and the dullness of the timber trade, but there must be an ebb and flow in litigation as in everything else, and it is not impossible that the decrease is attributable to this alone."

7. The following exhibits the per centage of each class of suit instituted during the year:—

Per centage of each class of suit.

Immoveable property	8.1
Moveable property	91.9

The increase in suits connected with immoveable property amounts to 247 or 18·32 per cent, while suits connected with moveable property advanced from 16,895 to 18,356 or 8·64 per cent. The increase in suits connected with immoveable and moveable property was principally in Courts of the 1st and 2nd Grade.

8. Suits for land have increased from 735 in 1868, to 807 in 1869. The increase being in the Pegu and Tenasserim Divisions, while Arakan stands about the same as in the preceding year.

9. Suits for money due on contracts have advanced from

6,108 to 6,345, while suits for damages shew an increase of 337 over the previous year.

10 Suits relating to Marriage and Divorce have fallen from 1,442 to 1,202, the decrease being general to the three Divisions.

Value of Original Suits instituted.

11. The total value of suits instituted has advanced from Rs. 12,79,072, to Rupees 14,82,998, while the average value of each suit has increased from Rs. 70, to Rs. 75. The Arakan Division alone furnishes a statement of the value of suits under each separate classification; the average value of suits under each heading for the whole Province cannot therefore be obtained.

12. The increase in the value of suits instituted has taken place entirely in the Arakan Division where the total has risen from Rs. 2,12,418, to Rs. 4,30,932, or 102 per cent. This large increase is attributed by the Commissioner to the institution of 5 Original Suits of the value of Rs. 55,636, in the 4th Grade Court of Akyab, and to 1 of the value of Rs. 2,011, in a similar Grade Court in the Ramree District. The average value of each suit in this Division was Rs. 113, against Rs. 69, in the preceding year.

13. In the Pegu Division the total value of suits instituted has fallen from Rs. 8,90,720, to Rs. 8,87,440, and the average value of each case from Rs. 74, to Rs. 67. No explanation is given by the Commissioner as to the cause of this decrease.

14. There has also been a falling off in the value of suits instituted in the Tenasserim Division where it has decreased from Rs. 1,75,933, to Rs. 1,64,624, the average value being nearly the same as that of the previous year. Here again no explanation is given by the Commissioner.

MISCELLANEOUS.

Number of Miscellaneous Suits.

15. Miscellaneous Suits have increased from 7,387 to 8,680, the increase being general to the three Divisions. It was remarked in the Memorandum on last year's report that there was some diversity of practice in the several Courts in interpreting the meaning of "Miscellaneous Suits." This appears still to prevail and the attention of the Commissioners should be directed thereto with the view of some fixed rule being established. The following might form the principal heads :—

Petitions for reviews of judgment.
Petitions from pauper plaintiffs.
Applications for execution of decrees.
Application for letters of Administration, and
Reference from other Courts.

Value of Miscellaneous Suits.

16. The total value of Miscellaneous Suits which was shewn for the preceding year as amounting to Rs. 7,53,402, has this year fallen to Rs. 4,67,116. The decrease is chiefly in the Arakan Division and is due to the adoption of a new system of valuation.

Total costs of Appeals and Original and Miscellaneous Suits.

17. The costs of suits of all descriptions have increased from Rs. 2,50,521, to Rs. 2,72,946. The average cost of each suit being about the same as last year when it was Rs. nine.

PART II.

BUSINESS BEFORE THE COURTS.

18. The total number of cases of all kinds for disposal inclusive of those pending was 30,538 or 2,858 in excess of the number for disposal in 1868.

19. The number decided was 29,982 or 10 per cent more than in the preceding year, leaving 551 pending at the close of the year.

Original Suits.

20. Of the total number of Original cases disposed of, 4,093 or 20 per cent were struck off without trial; and in 12,042 or 60 per cent decrees were given in favor of plaintiff or defendant. Of the latter 3,885 cases or 32 per cent were decided ex-parte or compromised, while 8,157 or 68 per cent were tried and decided on their merits. Cases decided ex-parte had increased in number from 1,660 to 1,965 or 18 per cent. This increase is large in proportion to the increase in number of cases disposed of, and the Chief Commissioner trusts that care is taken to give parties full time to appear, and that a desire to shew rapid working does not tend to lessen the period which should be allowed in the disposal of such cases.

21. Cases decided by compromise have decreased from 1,979 to 1,920, while the numbers withdrawn or dismissed by default was 3,968 against 3,395 in 1868.

22. The number of cases referred to Arbitration and the manner in which they were disposed of is not shewn in the present returns. This is an omission which will be corrected in future reports.

23. Cases dismissed by default should also be shewn in a separate column from those withdrawn, as it is desirable that the number of each should be clearly defined.

24. The average duration of cases for the whole Province was 14 days.

The following districts were above the average :—

Ramree.....16 days.
Bassein.....15 do.
Myanoung.....19 do.
Prome.....17 do.

25. The average duration of contested cases as compared with uncontested cannot be ascertained from the present returns, but steps will be taken to supply this information in future.

26. The longest pending cases at the end of the year was in the Akyab District, but in no District was there any case pending above six months.

I.—Courts of the 1st Grade.

27. The number of suits instituted, disposed of, and the value of suits and stamp paper filed before these Courts is shewn in the following Statement :—

Years.	Number of suits instituted.	Number of suits disposed of.	Value of suits instituted.	Value of Stamps on law papers.	Remarks.
			Rs.	Rs.	
1868	11,270	11,356	5,96,532	74,126	
1869	11,431	11,518	5,11,671	71,585	

28. Contested cases have increased from 6,561 in 1868 to 7,376 in 1869; while the average value of each suit instituted has fallen from Rs. 52 in 1868, to Rs. 44 in 1869.

29. The average duration of cases in 1869 was 14 days.

The following Courts were above the average :—

Court of the Ex. Asst. Comr.		3rd grade	Ooreetoung East	28	days.
Do.		do.	„ West	15	do.
Do.	Comrs.	do.	Rangoon Dist.	15	do.
Do.		do.	Bassein „	19	do.
Do.		do.	Prome „	16	do.
Do.		do.	Amherst „	26	do.
Do.		do.	Tavoy „	19	do.

30. No reasons are given for the great delay that occurred in the disposal of cases in the Amherst District and in the Court of the Ex. Asst. Commissioner, Ooreetoung East, and the Chief Commissioner desires that full explanation may be given on this point. The average in the Bassein and Tavoy Districts is also very high.

31. Appeals were preferred against decisions given in 868 cases or 7.52 per cent of the total number of cases disposed of. In 372 cases or 42.85 per cent the decisions were upheld which shews an improvement over the preceding year; in 319 cases or 36.75 per cent the decisions were modified or reversed ; and in 177 cases, or 20.4 per cent were otherwise disposed of.

32. The number of cases pending at the close of 1869 was 150 against 155 in the previous year.

Courts of the 2nd Grade.

33. The following Statement will shew the number of suits instituted and disposed of, and the value of suits and stamp paper filed in the several Courts as compared with the preceding year:—

Years.	Number of suits instituted.	Number of suits disposed of.	Value of suits instituted.	Value of Stamps on law papers.	Remarks.
1868	5,002	4,975	4,07,382	41,066	
1869	6,088	6,102	4,39,570	44,352	

Contested cases have increased from 3,051 in 1868 to 3,500 in 1869, and uncontested cases from 1668 to 1693.

34. The average value of each suit instituted has fallen from Rs. 81 in 1868 to Rs. 72 in 1869.

35. The average duration of cases in 1869 was 17 days. As this includes uncontested cases the average is high.

36. The longest pending case at the close of the year was in the Court of the Extra Assistant Commissioner 2nd Class of the Akyab district.

37. Of the total number of cases disposed of during 1869, in 444 cases or 7.27 per cent the decisions were appealed against. The result being that in 216 cases or 48.65 per cent the original decisions were upheld, while in 158 or 35.59 per cent they were reversed or modified; and in 70 cases or 15.76 per cent they were otherwise disposed of.

38. The number of pending cases at the close of 1869 was 55.

COURTS OF THE 3RD GRADE.

39. The number of suits instituted and disposed of, and the value of suits and stamps filed in these Courts was as follows:—

Year.	No. of suits instituted.	No. of suits disposed of.	Value of suits instituted.	Value of stamps on law papers.	Remarks.
			Rs.	Rs.	
1868	1,712	1,725	2,58,811	21,401	
1869	2,069	2,033	2,92,845	26,215	

40. Of the number disposed of, 981 were in favor of plaintiff and 224 in favor of defendant, against 832 for plaintiff and 194 for defendant in 1868. 161 were decreed exparte against 141 in 1868, while there were 667 rejected, compromised or otherwise settled, against 559 similarly disposed of in 1868.

41. The average value of each suit instituted advanced from Rs. 141in 1869 to Rs. 151 in 1868.

42. The average duration of each case in the year under review was 14 days; the longest pending case being in the Rangoon district.

43. In 128 cases the decisions were appealed against being 6·29 per cent of the total number of cases disposed of. The decisions were upheld in 53 cases, or 41·40 per cent. In 52 or 40·60 per cent the decisions were modified or reversed; and in 23 or 18 per cent the appeals were otherwise disposed of.

44. There were 60 cases pending at the close of the year.

Courts of the 4th Grade.

45. In their original jurisdiction these Courts only take cognizance of suits the value of which exceeds Rs. 5,000, the number of Original Suits instituted before them is consequently very small, being only 6 in Arakan, 15 in the Pegu Division and 2 in Tenasserim, making a total of 23 for the whole Province.

46. Of the above 17 were decided on trial, 1 was decreed ex-parte, 1 compromised and 1 rejected, leaving 3 pending at the end of the year. The average duration of the suits was 35 days.

47. The working of the several Courts of original jurisdiction has on the whole improved, more especially in the Courts of the 1st and 2nd Grades. The duration of the suits and number of decisions appealed against was far less than in the preceding year, as these Courts are presided over chiefly by men who were selected on account of their hereditary claims and not for any judicial qualifications; this improvement is very satisfactory. Under the rules now in force, it is incumbent on all newly appointed Officers to pass certain examinations within a prescribed period and although books on legal subjects that have been translated into Burmese, are still few in number, they are every year increasing in number and as they come out are eagerly sought after; there is therefore every hope that a gradual improvement is taking place and this will no doubt be shewn year by year in the improved working of the Courts where Native judges preside.

PART III.

APPEALS.

Courts of the 4th Grade.

48. The following Statement shews the number of appeals preferred to the several Grades of Appellate Courts during the year 1869, as compared with the previous year:—

Appellate Courts.	Years. 1868.	1869.	Percentage of Increase.	Percentage of Decrease..
Deputy Commissioners	1427	1440	·9	„
Commissioners	89	70	„	21·3
Chief Court...	23	33	43·4	„
Total	1539	1543	·26	„

49. The increase in the number of appeals preferred to the Courts of the 4th Grade is proportionate with the increase in the number of Original Suits instituted in the lower Courts, while the paucity in the number of appeals preferred to the Courts of the 5th Grade is attributed to an inaccurate reading of Section 27 Act XXIII of 1861, by which the decisions of the District Courts were in certain cases considered final. The Chief Court has now, however, pointed out that the Courts of the Commissioners are not Courts of special appeal, and that in cases of debt, damage, and demand, and, though the amount at issue may be less than Rs. 500, 2nd appeals will lie from the appellate decisions of Courts of the 4th Grade; it is therefore probable that in future the work in the Courts of the Commissioners will be somewhat increased.

Appeals to Deputy Commissioners

50. Including 165 remaining from the previous year, there were altogether 1,543 for disposal, to 1,555 in 1868. Of these, 1,440 were disposed of during the year, leaving a balance of 103 at its close.

51. The average duration of appeals to District Appellate Courts was 21 days. The duration was above the average in the following Courts :—

Court of the Deputy Commissioner.....Akyab.
Do. of the Deputy Commissioner.....Rangoon.
Do. of the Deputy Commissioner.....Bassein.
Do. of the Deputy Commissioner.....Myanoung.

52. The low average duration in the following Districts is creditable to the Officers concerned:—

Ramree.....3 days
Amherst.....6 do.
Shwè-gyeen.....6 do.

53. The Chief Commissioner is however unable to understand how so low an average has been obtained in the Ramree District, and explanation will be required as to the manner in which the period has been calculated.

54. The number of cases pending at the end of the year has fallen from 165, to 103. The Chief Commissioner is glad to observe the great improvement that has taken place in this respect in the Myanoung District.

55. In the Arakan and Pegu Divisions, the number of appeals decided in favor of respondents was proportionately much the same as last year, while the marked increase in the Tenasserim Division in the number of decisions upheld speaks well for the Courts from whose decision appeals were preferred.

56. The value and costs of appeals to District Appellate Courts as compared with the preceding year, are shewn in the subjoined statement:—

Year.	No. of Appeals.	Aggregate value of Appeals.	Aggregate cost of Appeals.	Average value of Appeals.	Average cost of Appeals.
		Rs.	Rs.	Rs.	Rs.
1868	1,366	1,79,235	21,489	131	15
1869	1,378	1,62,245	21,291	117	15

COURTS OF THE 5TH GRADE.

Appeals to Commissioners

57. The number of appeals for disposal in these Courts, including 8 pending at the close of 1868, was 78;—of these 73 were

disposed of during the year leaving 5 remaining at the end of the year.

58. There has been a decrease in the number instituted in the Arakan and Pegu Divisions, while in Tenasserim the number is the same as last year.

59. The subjoined Statement shews the manner in which the appeals preferred to the several Divisional Appellate Courts were disposed of:—

Divisional Courts.	No. of Appeals disposed of.	Appeals withdrawn, transferred, or struck off without trial.	Decided in favor of Appellant.	Decided in favor of Respondent.	Remanded for further investigation.
Arakan.					
From Depy. Comrs. to Comr...	7	1	3	3	0
Pegu.					
From Depy. Comrs. to Comr...	39	8	9	22	0
Tenasserim.					
From Depy. Comrs. to Comr...	27	8	7	12	0

60. The general average duration of appeals in these Courts was 49 days to 53 days in 1868.

61. The value and costs of appeals to Commissioners' Courts as compared with 1868, are shewn in detail in the following statement:—

No. of Appeals.		Aggregate value of Appeals.	Aggregate cost of Appeals.	Average value of Appeals.	Average cost of Appeals.
1868	89	15,924	2,436	178	27
1869	70	23,650	2,342	337	33

Courts of the 6th Grade.

Appeals to the Chief Court.

62. The number of Special Appeals preferred to the Chief Court during the year was 33 or 10 in excess of the previous year. One case was pending at the commencement of the year which made in all 34 for disposal during 1869.

63. The following statement shews the manner in which they were disposed of:—

No. of Cases disposed of.	Rejected.	In favor of Respondent.	Withdrawn or dismissed in default.	Pending at the end of the year.
34	17	10	1	6

64. The average duration of appeals was 23 days to 1 month and 8 days in 1868.

65 The average value and cost of appeals in the Chief Court were as follows:—

No. of Appeals.	Average value of Appeals.	Average cost of Appeals.
34	543	13

66. As remarked in the Memorandum on last year's report, the severest portion of the work of the Chief Court is the supervision of the working of the lower Courts in settling doubtful points of law and procedure.

67. As this continues increasing, involving every year more time and labour, it must soon become matter for consideration whether it would not be more economical to appoint a separate officer to work out these petty details rather than that the more important duties of the Chief Executive Officer of the Province should be in any way interfered with.

68. The number of Miscellaneous cases decided during 1869 was 141 against 77 in the previous year, the average duration of each case being 2 days.

GENERAL REMARKS.

69. From the reports of the District Officers, Arbitration would appear to be but little resorted to in the Arakan and Tenasserim Divisions. In Pegu, it is very much more popular, but it is impossible from the present returns to arrive at any correct conclusion as to the actual results obtained.

70. As regards the application and execution of decrees, the returns are also faulty. There however appears to be nothing calling for special remark. Decrees are seldom sold as negotiable instruments except in towns where there is a large foreign population, and collusive decrees are still rarer. Endeavours will be made to obtain in future reports, fuller information regarding the working of this Department of public justice.

71. Registration is still confined to the Head Quarter Stations of Districts and is worked under local rules. The Chief Commissioner has however now submitted to the Government of India a proposition for extending the Registration Act to this Province, and has also recommended that an Office be opened at all Stations in the interior where Civil Courts have been established. The new Stamp Act has worked satisfactorily and appears to have had little or no effect on litigation. The want of an Insolvency Act for the Province is beginning to make itself felt in the larger towns; but it is understood that a Bill is now before the Legislative Council for introducing an Insolvency Act applicable to the whole of British India.

72. The present forms of returns for registering the Statistics of Civil Justice are defective in many respects, but as it is understood that the High Court are preparing a set of forms for use throughout India, the Chief Commissioner has refrained from making any change for the present in those now in use.

73. In conclusion, the Chief Commissioner desires to record his sense of the services of the following Officers:—

Deputy Commissioners.

Lieutenant Colonel Horace A. Browne, Captain W. C. Plant, Captain W. W. Pemberton.

Assistant Commissioners.

Mr. C. D. Clifford Lloyd, Captain H. A. Gower.

REPORT

OF THE

SESSIONS JUDGE OF ARAKAN,

FOR 1869.

From Lieutenant-Colonel J. F. J STEVENSON, Commissioner of Arakan, to the Secretary to the Chief Commissioner of British Burma, Rangoon, No. 126 dated Akyab, the 7th April 1870.

I have the honor to submit my Report on the Administration of Civil Justice in the Arakan Division for the year 1869, accompanied by the Statements and Reports noted below:—

I. Statement of Suits instituted, disposed of and pending.

II. Statement of Classification, Appeals and Original suits instituted.

III. Detail of Suits disposed of.

IV. Supplementary Returns showing duration of Suits and costs.

A. Statement of average duration of Suits.

B. Statement showing the result of Appeals and Second Appeals.

C. Statement showing the result of Appeals and Second Appeals from each grade of Courts.

D. Statement showing the duration of Civil Cases in each grade of Courts.

E. Statement showing the proportion of Appeals from each grade of Courts disposed of.

F. Detailed Statement of Miscellaneous cases instituted and disposed of.

District Reports in original.

INTRODUCTION.

2. According to Act I of 1863 Section 2, the following are the several grades of Courts in the Division.

1st Grade Courts.

i.—The Courts of the Extra Assistants of the 3rd Class or Myookes, having jurisdiction in Suits not more than Rs. 500 in value.

2nd Grade Courts.

ii.—The Courts of the Extra Assistants of the 2nd Class or Tsit-Kays, having jurisdiction in Suits of more than Rs. 500 in value but of not more than Rs. 3,000.

3rd Grade Courts.

iii.—The Courts of the Extra Assistants of the 1st Class and the Assistant Commissioners, having jurisdiction of more than 3,000 but of not more than Rs. 5,000.

4th Grade Courts.

iv.—The Courts of the Deputy Commissioners having original jurisdiction in Suits the value of which exceeds Rs. 5,000 and having also Appellate jurisdiction from the decrees of the Subordinate Courts.

5th Grade Courts.

v.—The Court of the Commissioner of the Division having Appellate jurisdiction only.

3. The names and designations of the Judges who preside in the 1st Grade Courts are:—

AKYAB DISTRICT.

i.—Moung Pha Phyoo, Extra Assistant Commissioner 3rd Class 1st Grade, of Myohoung Township.

ii.—Moung Htoon Oo, Extra Assistant Commissioner 3rd Class 3rd Grade, of Yathaidoung Township.

iii.—Moung Shway Bweng, Extra Assistant Commissioner 3rd Class 3rd Grade, of Kyai Let Township.

iv.—Moung Kulla, Extra Assistant Commissioner 3rd Class 5th Grade, of Minbya Township.

v.—Moung Bain, Extra Assistant Commissioner 3rd Class 5th Grade, of Ooyittoung West Township.

vi.—Moung Hnin, Extra Assistant Commissioner 3rd Class 5th Grade, of Ooyittoung East Township.

vii.—Aga Abass Ally, Extra Assistant Commissioner 3rd Class 5th Grade, of Koladan Township.

RAMREE DISTRICT.

i.—Moung Na Hto Shway, Extra Assistant Commissioner 3rd Class 2nd Grade, of Ramree.

ii.—Moung Hla Htoon Oung, Extra Assistant Commissioner 3rd Class 2nd Grade, of Aeng Township.

iii.—Moung Phoung Tha Oo, Extra Assistant Commissioner 3rd Class 4th Grade, of Cheduba Township.

SANDOWAY DISTRICT.

i.—Moung Shway Boo, Extra Assistant Commissioner 3rd Class 1st Grade, of Sandoway, Northern Division.

ii.—Moung Kya Oung, Extra Assistant Commissioner 3rd Class 5th Grade, of Sandoway, Southern Division.

NORTHERN ARAKAN.

—Moung Oogazan, Extra Assistant Commissioner 3rd Class 5th Grade, of Myouk Toung.

4. The names and designations of Officers who preside over the 2nd Grade Courts are:—

i.—Moung Shway Taw, Extra Assistant Commissioner 2nd Class 1st Grade, at Akyab.

ii.—Moung Tha doway, Extra Assistant Commissioner 2nd Class 2nd Grade, at Sandoway.

5. The names and designations of Officers who preside over the 3rd Grade Courts are:—

AKYAB.

i.—Moung Kulla, Extra Assistant Commissioner 1st Class 2nd Grade, of Naaf.

ii.—Mr. C. D. C. Lloyd, Assistant Commissioner from 1st to 31st January, on which date the Court of the 2nd Assistant Commissioner ceased to exist.

iii.—Mr. James Hind, 1st Assistant Commissioner from 1st January to 2nd March.

iv.—Mr. C. D. C. Lloyd, Assistant Commissioner from 2nd March to 8th April.

v.—Mr. C. J. A. Duke, Assistant Commissioner from 9th August to 6th November.

vi.—Mr. W. C. Midwinter, Officiating Assistant Commissioner from 24th November to end of the year.

RAMREE DISTRICT.

i.—Moung Shway Daikay, Extra Assistant Commissioner 1st Class 2nd Grade, at Kyouk Phyoo.

6. The names and designations of Officers who preside over the 4th Grade Courts are:—

AKYAB DISTRICT.

i.—Lieut. Colonel E. J. Spilsbury, Deputy Commissioner from 1st January to 10th June 1869.

ii.—Captain C. O. L. Prendergast, Officiating Deputy Commissioner from 11th June to 10th August 1869.

iii.—Mr. W. DeCourcy Ireland, Deputy Commissioner from 11th August to the end of the year.

RAMREE DISTRICT.

i.—Captain W. C. Plant, Deputy Commissioner from 1st January to 3rd March 1869.

ii.—Mr. James Hind, Assistant Commissioner in charge from 4th March to 9th September 1869.

iii.—Mr. J. K. Macrae, Deputy Commissioner from 10th September to the close of the year.

SANDOWAY DISTRICT.

i.—Captain W. W. Pemberton, Deputy Commissioner from 1st to 7th January.

ii.—Mr. J. K. Macrae, Deputy Commissioner from 7th January to 31st August.

iii.—Mr. J. Treacy, Deputy Commissioner from 31st August to the end of the year.

NORTHERN ARAKAN.

i.—Mr. J. C. Davis, Superintendent from 1st January to 17th November.

ii.—Captain C. A. Munro, Officiating Superintendent from that date to end of the year.

7. The number of Suits instituted for Immoveable and Moveable property in all the Grades of Courts in the Division during the year under review is shown in the following Form:—

Courts.	1869. Immoveable.	1869. Moveable.	1868. Immoveable.	1868. Moveable.	1869. Total Suits.	1868. Total Suits.	Increase.	Decrease.
Akyab District.								
1st Grade, or Extra Assistant Comr's Courts 3rd Class. ...	52	1321	33	628	1373	661	712	0
2nd Grade Do. 2nd „ ...	51	1034	41	1054	1085	1095	0	10
3rd Grade Do. 1st „ ...	65	222	55	303	287	358	0	71
4th Grade, or Deputy Commissioner's Court...	0	5	0	0	5	0	5	0
Total...	168	2582	129	1985	2750	2114	636	0
Ramree District.								
1st Grade, or Extra Assistant Comr's Court 3rd Class. ...	48	394	50	330	442	380	62	0
3rd Grade Do. 1st „ ...	15	166	16	148	181	164	17	0
4th Grade, or Deputy Commissioner's Court...	1	0	0	2	1	2	0	1
Total...	64	560	66	480	624	546	78	0
Sandoway District.								
1st Grade, or Extra Asst. Comr's Court 3rd Class. ...	15	179	15	165	194	180	14	0
2nd Grade Do. 2nd „ ...	20	179	19	185	199	204	0	5
4th Grade, or Deputy Commissioner's Court.	0	0	0	0	0	0	0	0
Total...	35	358	34	350	393	384	9	0
North Arakan.								
1st Grade, or Assistant Superintendent of Hill Tribes.. ...	0	15	0	0	15	0	15	0
4th Grade, or Superintendent Do.	0	0	0	2	0	2	0	2
Total...	0	15	0	2	15	2	13	0
Grand Total...	267	3515	229	2817	3782	3046	736	0

BUSINESS BEFORE THE COURTS.

INSTITUTION OF SUITS.

Regular.

Increase and Decrease of Suits.

I. There was an increase in the number of Regular Suits instituted under both the heads viz: Immoveable and Moveable property, the former rose from 229 in 1868 to 267 or 16 per cent in the year under review, and the latter from 2817 to 3515 or 24 per cent. The total increase of Suits instituted in the Division under both the heads being 736 or 24 per cent.

The increase occurred chiefly in all the 1st Grade Courts in the Division, also in the 3rd Grade Court of Ramree and the 4th Grade Court of Akyab. While the decrease occurred in the 2nd and 3rd Grade Courts of Akyab, the 4th Grade Court of Ramree, the 2nd Grade Court of Sandoway and the 4th Grade Court of Northern Arakan.

With the exception of suits instituted for Houses there was an increase under all the heads, viz: Land, Mortgages, Fisheries and other cases; claims to inheritance in Immoveable property however remained the same as in the previous year.

Under head Moveable property the cases of Debt rose from 1584 to 1669 in the year of Report. Damages for breach of contracts from 219 to 225. Inheritance from 19 to 53, and other cases from 780 in the previous year to 1379 in the year under review.

It is however satisfactory to find that there was a decrease in cases of a matrimonial nature, and damages for personal injuries and wrongs. The former fell from 144 to 125, and the latter from 71 to 64.

AKYAB DISTRICT.

8. In this district the number of Suits connected with Immoveable property rose from 129 to 168 or 30 per cent, and Moveable property from 1985 to 2582 or 30 per cent. On the whole the number of Suits instituted in this District increased from 2114 in the previous year, to 2750 or 30 per cent in the year under review.

Under head Immoveable property the increase occurred in Suits connected with Land, Inheritance, and other cases: Suits connected with Mortgage and Fisheries remained the same; but Suits for recovery of Houses fell from 14 in the previous year to 3 in the year of Report.

Under head Moveable property the increase occurred with one exception under all heads; the increase being chiefly under heads Debt, Inheritance and other Suits.

There was an increase of 91 Suits under head Debt, 5 Suits under Marriage and 5 Divorce, 27 under Inheritance and 472 in other cases. The decrease was only under head Damages which was slight.

II. There was an increase in Suits connected with both Immoveable and Moveable property in the Courts of the 1st Grade. Suits in Immoveable property rose from 33 to 52 or 57 per cent, and Moveable from 628 to 1321 or 110 per cent.

In the Courts of the 2nd Grade the suits in Immoveable property rose from 41 to 51 or 24 per cent, while in Moveable it fell from 1054 to 1034 or a little more than 1 per cent.

With regard to the slight falling off of cases in the 2nd grade Courts of Akyab the Deputy Commissioner says: "The "above figures do not however represent the number of cases, "which should ordinarily be tried by the Tsitkay's Court, as "the Court of the Kyailet Myooke assisted that Court by "taking up cases ranging in value from 1 to Rs. 50.

"It is found on specially referring to the Kyailet Myo-"oke's Books, that 304 cases occurring within the Town ju-"risdiction were decided by that officer. The number of "cases therefore arising in the Town of Akyab was 1389* "against 1157 in 1868, an increase of 232† cases." The Deputy Commissioner also states as follows with regard to the considerably large number of Suits instituted concerning Moveable property. "All the cases with very rare exceptions, instituted "before the Court of the Tsitkay of Akyab Town, are in the "nature of cases cognizable by Courts of Small Causes."

In the Courts of the 3rd grade there was an increase of 10 or 18 per cent in Suits connected with Immoveable property, while there was a decrease of 81 or 36 per cent in Suits connected with Moveable property.

In the Courts of the 4th grade no Suits connected with Immoveable property was instituted, while there were 5 Suits connected with Moveable property during the year against none in the previous year.

On the whole the Suits instituted in the Courts of the 1st grade rose from 661 to 1373 or 107 per cent, and in the

* 1103 † 286.

4th grade Courts from none in the previous year to 5 in the year of report. While in the Courts of the 2nd grade the number of Suits instituted fell from 1095 to 1085 or 0.9 per cent, and in the Courts of the 3rd grade from 358 to 287 or 24 per cent.

III. With regard to the increase of Suits instituted in the several Courts of this District the Deputy Commissioner of Akyab explains as follows:—

"The increase of 5 Regular Suits is due, in the District "Court, to an embezzlement by the Treasurer of the Branch "Bank of Bengal, at Akyab: who, having absconded with a "large sum of money, necessitated the Bank to sue his sure-"ties and others implicated in the frauds; and in the other "Courts to a general depression in the money market caused "by losses incurred through the cattle murrain, and the des-"tructive effects of the Cyclone.

"The people were obliged in consequence, to resort ex-"tensively to loans, both on mortgages and otherwise, for the "recovery of which the aid of the Courts had, in the majority "of instances, to be called in, the same stress, which compell-"ed people to borrow, rendering them generally unable or "unwilling to repay."

Ramree District.

9. In this District the number of Suits instituted in Immoveable property fell from 66 to 64 or 3 per cent, but in Moveable property it rose from 480 to 560 or 16 per cent. On the whole there were 624 Suits instituted during the year against 546 in the previous year; the increase amounting to 78 or 14 per cent.

The decrease in Suits under Immoveable property was chiefly under head Land which fell from 40 to 23. There was also a slight decrease under head Inheritance. Under all other heads there was an increase of Suits instituted, the largest increase being under heads Mortgage and other cases.

In Moveable property the increase occurred under the following heads: viz. Debt, Breach of contract, Inheritance and other cases. Whereas under head Marriage and Divorce the claims fell from 39 to 26, and Damages for personal injuries and wrongs from 23 to 17.

II. There was a decrease in Suits connected with Immoveable property instituted in the 1st grade Courts, but an in-

crease in Moveable property. The former fell from 50 to 48 or 4 per cent, while the latter rose from 330 to 394 or 19 per cent.

In the 3rd grade Courts of this District, claims under head Immoveable property remained nearly the same while under head Moveable property the Suits rose from 148 to 166 or 14 per cent.

In the 4th grade Court but one Suit was instituted in Immoveable property to none in the previous year, while under head Moveable property there were no Suits instituted during the year of report against 2 in the previous year.

On the whole the Suits instituted in the 1st grade Courts rose from 380 to 442 or 16 per cent and in the 3rd grade Courts from 164 to 181 or 10 per cent. While in the Court of the 4th grade only one Suit was instituted against 2 in the previous year.

III. With regard to the above increase the Deputy Commissioner of Ramree states as follows:

"The increase is distributed pretty equally over all the "Courts of original jurisdiction and may be accounted for as a "natural reaction after the depression existing in 1868, which "showed 99 cases less than in 1867."

SANDOWAY DISTRICT.

10. In this District there was an increase of 8 cases or 2 per cent instituted in Moveable property while in Immoveable property the result remained nearly the same as in the previous year. On the whole there were 393 Suits instituted in this District against 384 in the previous year which is an increase of 2 per cent over the result of the previous year.

In Suits connected with Immoveable property claims under head Mortgage were double that of last year, while Suits of other kinds under this class remained about the same.

In Moveable property the increase occurred chiefly under head "other cases." There was also a small increase under heads Inheritance and Damages for personal injuries and wrongs; the decrease was under heads Debt and Damages for breach of contract. The cases relating to Marriage and Divorce also fell from 37 in the previous year to 24 in the year of report.

II. There was no difference in Suits connected with Immoveable property instituted in the Courts of the 1st grade. While in Moveable property there was an increase of 14 or 8 per cent of Suits instituted.

In the Court of the 2nd grade the number of Suits under Immoveable property remained nearly the same while under Moveable property the number of Suits fell from 185 to 179 or 3 per cent.

There were no Suits instituted in the Court of the 4th grade either in the present or previous year. On the whole there were 194 Suits instituted against 180 in the previous year in the Courts of the 1st grade, but in the Court of the 2nd grade 199 Suits were instituted against 204 in the previous year. The increase in the 1st grade Courts amounts to 7 per cent, the decrease in the 2nd grade Courts to 2 per cent.

III. With regard to the above increase the Deputy Commissioner of Sandoway states:—

"The difference is hardly* , there has been no disturbing cause in the circumstances of the people during the two years to cause any."

* *Sic.*

NORTHERN ARAKAN.

11. There were no Suits connected with Immoveable property instituted in either the present or previous years in any of the Courts of Northern Arakan; but there were 16 Suits connected with Moveable property preferred in the Court of the Assistant Superintendent. In the Court of the Superintendent there were no Suits instituted during the year of report while there were 2 in the pervious year.

As no report on Civil Justice has been received in this Office up to the present day from the Superintendent of North Arakan, no exact explanation can be given of the increase.

It seems unnecessary to add that in this wild uncivilized region much resort to our Civil Courts is not yet to be looked for.

12. The number of Miscellaneous Suits instituted in the different grades of Courts is shewn below.

		1869.	1868.	Increase.	Decrease.
Akyab District.					
1st Grade, or Extra Assistant Commissioner's	Court 3rd Class.	548	177	371	0
2nd Grade „ Ditto.	Court 2nd „	1,434	1,184	250	0
3rd Grade „ Ditto.	Court 1st „	179	265	0	86
4th Grade, or Court of the Deputy Commissioner,		8	1	7	0
	Total...	2,246	1,679	567	0
Ramree District.					
1st Grade, or Extra Assistant Commissioner	3rd Class.	234	177	57	0
3rd Grade „ Ditto.	1st „	127	91	36	0
4th Grade, or Deputy Commissioner		19	12	7	0
	Total...	380	280	100	0
Sandoway District.					
1st Grade, or Extra Assistant Commissioner	3rd Class.	53	27	26	0
2nd Grade „ Ditto.	2nd „	167	176	0	9
4th Grade, or Deputy Commissioner.		10	7	3	0
	Total...	230	210	20	0
Northern Arakan.					
1st Grade, or Extra Assistant Commissioner	3rd Class.	0	0	0	0
4th Grade, or Superintendent of Hill Tribes.	...	0	0	0	0
	Total...	0	0	0	0
	Grand Total...	2,864	2,170	694	0

I. The Miscellaneous cases increased from 2170 to 2864 or 31 per cent. The increase occurred in all the Districts of the Division.

In the Commissioner's Court the Miscellaneous cases rose from 1 in 1868 to 8 in the year of report.

Of the seven Miscellaneous cases instituted in this Court, 4 were Appeals against the orders of the Deputy Commissioner under Act XXVII of 1860. One under Act XL of 1858 and the rest under Act VIII of 1859. The increase in Appeals is attributable to the larger number of Miscellaneous cases instituted in the 4th grade Courts.

Akyab District.

13. In the District of Akyab there was an increase of 567 or 33 per cent. With the exception of the 3rd grade Courts, the increase occurred in all the Courts. The decrease in the 3rd grade Courts was 48 per cent. With regard to the increase of Miscellaneous Cases in this District the Deputy Commissioner of Akyab states as follows:—

"The general increase in Miscellaneous Suits was caused "in the District Court, by numerous applications for certifi- "cates to administer to the estates of deceased persons having "been instituted consequent on the numerous deaths through "Cholera: and, in other Courts, the Miscellaneous Suits in- "creased naturally, in a ratio concurrent with the increase of "Regular cases."

Ramree District.

14. The increase in this District was 35 per cent and it took place in the Courts of all grades in that District.

The Deputy Commissioner of Ramree attributes this increase "to the increased number of Regular Suits." He also says:—

"The increase in the Deputy Commissioner's Court had "reference to the estates of several persons dying intestate "during the year."

Sandoway District.

15. In Sandoway there was an increase of 9 per cent in Miscellaneous cases instituted. The increase occurred in all the Courts but the Court of the 2nd grade, where the decrease in Miscellaneous cases was only 5 per cent.

No explanation is offered by the Deputy Commissioner of Sandoway with regard to the increase of Miscellaneous cases in his District.

NORTHERN ARAKAN.

16. There were no Miscellaneous cases instituted in this Court in both the years 1869 and 1868.

17 As stated in the Report of the previous year it is the practice in the Commissioner's Court to enter as Miscellaneous Suits (or cases) only such as fall within the scope of Section 22 of Act I of 1863 and Appeals from orders not of the nature of Decrees. There is a diversity of practice in the Divisional Courts of British Burma in this respect.

Value of Regular Suits instituted in the different grades of Courts during the year is shewn below, (omitting fractions) :—

	Value of Regular Suits instituted during		Increase.	Decrease.	Average value of each Suit in 1869.	Average value of each Suit in 1868.
	1869.	1868.				
Akyab District.						
1st Grade, or Extra Asst. Commissioner, 3rd Class.	74,598	38,031	36,567	0	54	57
2nd „ or Ditto. 2nd „	1,74,720	1,06,907	67,813	0	161	97
3rd „ or Asst. or Extra Asst. Comr. 1st Class.	59,216	26,387	32,829	0	206	73
4th „ or Deputy Commissioner's Court.	55,636	0	55,636	0	11,127	0
Total...	3,64,170	1,71,325	1,92,845	0	132	81
Ramree District.						
1st Grade, or Extra Asst. Comr. 3rd Class.	25,284	17,247	8,037	0	57	45
3rd „ or Ditto. 1st „	23,499	9,386	14,113	0	129	57
4th „ or Deputy Commissioner's Court.	2,101	116	1,985	0	2,101	58
Total...	50,884	26,749	24,135	0	81	48
Sandoway District.						
1st Grade, or Extra Asst. Comr. 3rd Class.	6,336	5,942	394	0	32	33
2nd „ or Ditto. 2nd „	8,013	8,371	0	358	40	41
4th „ or Deputy Commissioner's Court.	0	0	0	0	0	0
Total...	14,349	14,313	36	0	36	37
Northern Arakan.						
1st Grade, or Assistant Superintendent's Court.	1,521	0	1,521	0	101	0
4th „ or Superintendent's Court.	0	23	0	23	0	11
Total...	1,521	23	1,498	0	101	11
Grand Total...	4,30,924	2,12,410	2,18,514	0	113	69

II VALUE OF SUITS INSTITUTED.

Regular.

I. The value of Suits under the two distinct heads of Immoveable and Moveable property as required by Statement V prescribed by Chief Commissioner's No. 20-1 of the 15th January 1870, Home Department, Judicial, is omitted in this Report, owing to the Returns from some of the Districts not having been yet received. A separate Report on the above subject will be submitted in a supplementary form.

18. In this Division the total value of Suits increased from Rs. 2,12,410 to Rs. 4,30,924, that is, by Rs. 2,18,514 or 102 per cent. There was an increase in the total number of Suits instituted of 726 and the average value of each case instituted during the year increased from Rs. 69 in the previous year to Rs. 113 in the year under review.

This large increase in the average valuation of each Suit in the Division is attributable chiefly to the institution of 5 Original Suits of the value of Rs. 55,636 in the 4th grade Court of Akyab, and also to the institution of 1 Suit in the Court of the same grade in the District of Ramree, the value of which amounted to Rs. 2,011.

AKYAB DISTRICT.

19. In this District the total value of Suits instituted during the year increased from Rs. 1,71,325 to 3,64,170 in the year of report. The increase was Rs. 1,92,845 or 112 per cent.

There was an increase of 636 in the number of Suits instituted and the average value of each Suit rose in this District from Rs. 81 to Rs. 132.

II. In the Court of the lowest grade the total value rose from Rs. 38,031 to Rs. 74,598, increase Rs. 36,367 or 95 per cent, but as there was a large increase of 712 in the number of Suits instituted the average value of each Suit fell slightly from Rs. 57 to 54. This however includes the valuation of cases instituted in the Kyailet Court of Akyab in which as before stated 304 cases *occurring* within the Town jurisdiction up to the value of 50 Rs. were allowed to be instituted. Excluding therefore the valuation of cases instituted in the Kyailet Court, the average value of Suits before the Courts of the 1st grade in the District amounts to Rs. 62 against Rs. 57 in the previous year.

III. In the Court of the 2nd grade the value of Suits instituted during the year increased from Rs. 1,06,907 to Rs. 1,74,720 or by Rs. 67,813 or 63 per cent. Consequently with an increase in the valuation of Suits and decrease in the number of Suits instituted; the average valuation of each Suit in this Court rose from Rs. 97 to Rs. 161.

IV. In the Courts of the 3rd grade also the value of Suits instituted increased from Rs. 26,387 to Rs. 59,216, or by Rs. 32,829 or 124 per cent. Here also the average value of each Suit rose from Rs. 73 to Rs. 206, owing to a decrease in the number of Suits instituted and increase in their valuation.

V. In the Court of the 4th grade the value of five Original Suits instituted amounted to Rs. 55,636. Consequently in average the value of each Suit amounts to Rs. 11,127.

Ramree District.

20. In this District also the total value of Suits instituted during the year in all the grades of Courts increased from Rs. 26,749 to Rs. 50,884, or by Rs. 24,135 or 90 per cent. The average value of each Suit also increased from Rs. 48 to Rs. 81 in the year of Report notwithstanding an increase of 78 in the number of institution.

II. In the Court of the 1st grade the value of Suits instituted increased from Rs. 17,247 to Rs. 25,284 or by Rs. 8,037 or 46 per cent. The average value of each Suit also rose from Rs. 45 to Rs. 57.

III. In the Court of the 3rd grade also the value of Suits instituted increased from Rs. 9,386 to Rs. 23,499 or by Rs. 14,113 or 150 per cent. The average value of each Suit also rose from Rs. 57 to Rs. 129.

IV. In the Court of the 4th grade there was one Suit instituted of the value of Rs. 2,101 against 2 in the previous year of the value of Rs. 116. The increase over the value of Suits instituted in the previous year amounts to Rs. 1,985.

Sandoway District.

21. In the District of Sandoway the total value of Suits instituted increased slightly from Rs. 14,313 to Rs. 14,349 or by Rs. 36 or 0·2 per cent. The value of each Suit however in average slightly fell from Rs. 37 to Rs. 36.

II. In the Courts of the 1st grade the value of Suits increased from Rs. 5,942 to Rs. 6,336 or by Rs. 394 or 6 per cent. The average value of each Suit however fell from Rs. 33 to Rs. 32.

III. In the Court of the 2nd grade the value of Suits instituted fell from Rs. 8,371 to Rs. 8,013 or by Rs. 358 or 4 per cent. The average value of each case also fell from Rs. 41 to Rs. 40.

NORTHERN ARAKAN.

22. In North Arakan the value of Suits instituted amounted to Rs. 1,521 against Rs. 23 in the previous year. The average value of each Suit amounts to Rs. 101 against Rs. 11 in the previous year.

23. From the above it will be observed that there was a considerable increase in the aggregate value of Suits in the District of Akyab, Ramree and North Arakan. There was also a considerable increase in the average value of each Suit in all the Courts in these Districts notwithstanding an increase in the number.

24. The Deputy Commissioner of Akyab offers no explanation with regard to the general increase in the value of Suits instituted in his District, but he makes the following remarks on the increase in the average value of each Suit instituted in the 1st grade Courts of the District.

"The average value of Suits before Courts of the 1st grade "exclusive of Kyailet is about Rs. 62. This average value "as shown in the Return, does not really represent the mark-"et value of the property litigated, as I found, in conse-"quence of an unintelligible translation of note (*a*) Act XXVI "of 1867 having been published, the value of Land was calcula-"ted throughout at 8 times the Government Assessment even "in the case of lands not under Settlement, whereas the "market value should have been assumed as the value of the "Land litigated."

25. The Deputy Commissioner of Ramree says:—"The natural revival of litigation in all the Courts of the District after the great falling off in 1868 as shown in the increased number of Original Suits instituted has caused the aggregate value of these Suits to rise."

26. The cause of increase in the value of Suits in North Arakan is simply owing to the increase in the number of Suits instituted.

27. In the District of Sandoway there was a slight increase in the value of Suits instituted and a slight falling off in the average value of Suits. The Deputy Commissioner of Sandoway offers no explanation.

28. Value of Miscellaneous Suits instituted in the different grades of Courts during the year is shown below (omitting fractions.)

COURTS.	Value of Miscellaneous Suits instituted during		Increase.	Decrease.
	1869.	1868.		
5th Grade, or Commissioner's Court....	49	475	0	426
AKYAB DISTRICT.				
1st Grade, or Extra Assistant Commissioner's Court 3rd Class	428	11,846	0	11,418
2nd " or Ditto. " 2nd "	1814	1,44,818	0	1,43,004
3rd " or Asst. and Ex. Asst. Commissioner's " 1st "	79	25,859	0	25,780
4th " or Deputy Commissioner's Court..	19,638	850	18,788	0
Total...	21,959	1,83,373	0	1,61,414
RAMREE DISTRICT.				
1st Grade, or Extra Assistant Commissioner's Court 3rd Class	442	9,311	0	8,869
3rd " or Ditto. " 1st "	507	7,016	0	6,509
4th " or Deputy Commissioner's Court ...	40	250	0	210
Total...	989	16,579	0	1,55,88
SANDOWAY DISTRICT.				
1st Grade, or Extra Assistant Commissioner 3rd Class ...	318	803	0	485
2nd " or Ditto. 2nd " ...	401	6,807	0	6,406
4th " or Deputy Commissioner's Court	22	460	0	438
Total...	741	8,070	0	7,329
NORTHERN ARAKAN.				
1st Grade, or Assistant Superintendent's Court ...	0	0	0	0
4th " or Superintendent's Court	0	0	0	0
Total ..	0	0	0	0
Grand Total	23,738	2,08,496	0	1,84,758

I. The value of Miscellaneous cases in the Division of Arakan fell from Rs. 2,08,496 to Rs. 23,738. The decrease occurred with one exception in all the Courts in the Division. This is owing to the adoption of the new system of valuation ordered by the Chief Commissioner in No. 599-5 dated 5th February 1869, Home Department. This system provides that merely the value of stamps filed in each case and the costs incurred as far as can be ascertained thereon shall be shown. In the previous year the amount sought for in decree was shewn as was customary heretofore.

II. In the Deputy Commissioner's Court of Akyab alone the value of Miscellaneous Suits increased from Rs. 850 to Rs. 19,638.

With regard to this the Deputy Commissioner of Akyab says:—

"According to present practice the value of Stamps and "costs alone is shown except in the Court of the Deputy "Commissioner, in which Court alone, Miscellaneous Cases "are instituted without reference to previously decided Re- "gular cases. These are cases for administration under Act "XXVII of 1860 and the like, where the amount for which a "certificate is sought, plus the costs, is stated as the amount "value of the Suit.

29. The number of Suits instituted, disposed of and pending in the 1st grade Courts, and the number of Appeals preferred from them and the result of those disposed of as compared with the previous year is shown below:—

Districts.	For trial during the year			Rejected.	Decided on trial.		Ex parte	Compromised.	Otherwise disposed of	Transferred.	Total disposed of	Average duration.	Pending.	Since when pending	Appeals.			Total costs on suits disposed of.
	Pending.	Instituted	Total.		In favor of Plaintiff.	In favor of Defendant.									Appeals preferred	Order confirmed.	Order reversed or modified	
														Days.				
Akyab	18	1373	1391	13	509	128	124	147	465	0	1386	12	5	25	74	27	29	13399
Ramree	0	442	442	5	143	51	79	17	147	0	442	16	0	0	15	12	2	4047
Sandoway	0	194	194	1	90	41	18	20	24	0	194	10	0	0	26	10	6	1725
Northern Arakan ..	0	15	15	0	14	0	0	0	1	0	15	5	0	0	0	0	0	62
Total...	18	2024	2042	19	756	220	221	184	637	0	2037	13	5	0	115	49	37	19,233

III. CONDUCT OF BUSINESS BEFORE THE COURTS.

FIRST GRADE COURTS

AKYAB DISTRICT.

30. In this District there were 18 Suits pending at the commencement of the year, which with 1373 instituted gives 1391 as the number on the files for disposal. Of these 1386 were disposed of leaving 5 pending at the close of the year. This certainly is a great improvement over the pending file of the previous year. Of 1386 disposed of, 612 or 44 per cent were compromised* and otherwise dealt with, 124 or 8 per cent were decided exparte. Thus in 637 cases or 45 per cent a formal trial was held of which 509 or four-fifths were decreed in favor of the plaintiffs. With regard to this result the Deputy Commissioner of Akyab states as follows:—"There appears no doubt "whatever that the despatch apparent in the disposal of cases, "in all the Courts, is due, in a measure, to the broad fact "that only about one-half of the Suits brought on the files, are "regularly decided on trial.

* See para. 79.

"It is obvious that it takes much less time and much less "exercise of ability, and patience, to make an order exparte, "or otherwise strike a case off the file, than to decide and de- "cree it on the merits, after a patient and probably a lengthy "hearing.

"Of the cases tried and decreed on the merits, 78·60 per "cent were decided in favor of the Plaintiff which is a proof "that in the majority of cases the persons putting the law in "motion, had, as a matter of fact, a claim which bore investi- "gation; and that frivolous and groundless Suits were not "common to any very great extent.

"Again, compromises, withdrawals and defaults, tend "to shew, that the Suits in which they occurred were not "groundless; for no person, in all probability, would compro- "mise or withdraw a Suit, or even let it go by default, if the "claim against him was advanced without at least some founda- "tion."

The duration of the cases shews that one per cent was disposed of in 1 day, 63 per cent in 8 days and the remainder or 36 per cent above 8 days, so that the average duration of each case was 12 days against 10 in the previous year. The Deputy Commissioner attributes this to there having been no

less than 11 cases in the Court of the Kulladan Myooke, pending from 91 to 120 days, and to that Officer's having had a much less number of cases to decide on trial than any other Court.

The case longest on the file at the close of the year had been 25 days pending. Out of 637 cases decided on trial 74 or 11 per cent were appealed against 58 or 20 per cent in the previous year. Of this in 27 cases or 36 per cent the orders were confirmed, but in 29 cases or 39 per cent they were reversed. The result of Appeals when compared with those of the last year tells against the 1st grade Courts of Akyab, for, in 1868, the number reversed was only 36 per cent. The Deputy Commissioner of Akyab in his remarks admits there being great room for improvement in all the Courts but that of Myohoung. He further states as follows with regard to these Courts:—

"They are as a general rule, in this district, presided over "by old worn out men who belong to a bye-gone time and who "have neither the intellect, energy, or acumen fitting them "for presiding over Courts as Judges.

"In a great many of the cases which come before me the "Myookes fail in taking evidence clearly and precisely.

"The evidence taken by them is generally recorded in a "wandering, discursive and disjointed style and in any case "presenting the slightest difficulty the important points are "seldom brought out in relief, and are often missed altogether.

"Some of the Myookes being about to be superannuated "this year, it is hoped that an improvement may result."

The actual amount paid by suitors as costs in these Courts was considerably more this year, having been Rs. 13,399 against 7,575 in the previous year.

Ramree District.

31. In this District there were 442 Suits for trial which were all disposed of during the year. This is satisfactory. Of these figures 164 or 37 per cent were compromised or otherwise dealt with and 79 or 13 per cent decided exparte. Thus in 194 cases or 43 per cent, a formal trial was held. Of this 143 cases or about three-fourths were decreed in favor of Plaintiffs. 10 cases or 2 per cent were disposed of in 1 day, 166 cases or 37 per cent in 8 days, and 266 cases or 60 per cent in above 8 days; so that the average duration of each case

was 16 days against 13 in the previous year. The Deputy Commissioner attributes this chiefly to the "affliction with a "painful disorder of the Extra Assistant Commissioner of "Ramree towards the end of the year which prevented his dis-"posing of Civil business with his wonted alacrity."

Frequent periodical Reports on the state of this Officer's health are now submitted.

Out of 194 cases decided on trial, 15 cases or 7 per cent were appealed against 27 or 14 per cent in the previous year. Of this in 12 cases or 80 per cent the orders of the Lower Court were confirmed and in 2 cases only or 13 per cent the orders reversed or modified against [redacted] or 40 per cent in the previous year. This is very satisfactory.

The actual amount paid by suitors as costs in the Courts was considerably more this year, having been Rs. 4,047 against Rs. 3,123 in the previous year.

SANDOWAY DISTRICT.

32. In this District there were 194 cases for trial all of which were disposed of during the year under review. Of the number disposed of 44 or 22 per cent were compromised or otherwise dealt with, 18 or 9 per cent were decided exparte and 131 or 67 per cent decided on trial. Of this 90 or a little more than two-thirds were decreed in favor of Plaintiffs.

See para · 79

5 cases or 2 per cent were disposed of in 1 day, 115 cases or 59 per cent in 8 days and 74 or 38 per cent in above 8 days. The average duration of each case was 10 days being the same as in the previous year.

Of 131 cases decided on trial, Appeals in 26 Suits or 13 per cent were preferred; of this in 10 cases or 38 per cent the orders were confirmed, but in 6 cases or 23 per cent they were reversed or modified against 9 or 64 per cent in the previous year which shows improvement. The Deputy Commissioner notes the result with regard to Moung Kya Oung to be unsatisfactory. This Officer has now been pensioned.

The total costs on Suits disposed of amounted to Rs. 1,725 against 1,643 in the previous year.

NORTHERN ARAKAN.

33. In the Court of the Assistant Superintendent of Hill Tribes there were 15 cases for trial which were all disposed

of within the year. Of this only 1 case was "otherwise disposed of;" the remainder being decided on trial in favor of Plaintiffs. The average duration of each case was 5 days. No Appeals were preferred. The total costs of these Suits were Rs. 62.

34. In the first grade Courts of the Division of Arakan there were 2,042 cases for trial during the year of which 2,037 Suits were disposed of leaving 5 cases pending at the close of the year—Of the 2,037 cases disposed of, 19 were rejected, 184 compromised* and 637 otherwise* disposed of so that there were on the whole 1,197 Suits left to be decided on trial. Of this number 221 were decided ex parte leaving 976, on which formal trial took place. This is equal to 47 per cent of the number disposed of. Of this 756 or about three-fourths were decided in favor of Plaintiffs. The total number of Suits compromised and otherwise dealt with was 821 or 40 per cent. The duration of cases was in 1 day 39 cases were disposed of, in 8 days 1,118 and in above 8 days 880 cases. The average duration of each case was 13 days against 11 in the previous year. The case the longest on the file at the close of the year had been 25 days pending.

* See Para 79

In 115 cases out of 976 decided on trial, were Appeals preferred *i. e.*, equal to 11 per cent. Last year there were 601 cases decided on trial of which 99 or 16 per cent were appealed. Of the 115 cases appealed, in 49 or 42 per cent the orders were confirmed, which is the same result as in the previous year; in 37 cases, or 32 per cent, the orders were reversed or modified against 41 in the previous year. There was a slight improvement in the result of Appeals from the 1st grade Courts of Akyab and Sandoway:—as regards those from 1st grade Courts of Ramree it is very satisfactory.

The total costs in Suits disposed of by the Courts of 1st grade amounted to Rs. 19,233 against 12,341 in the previous year.

Character and qualifications of the Officers of the 1st grade.

35. With regard to the Officers presiding over the 1st grade Courts the several Deputy Commissioners make the following remarks.

Akyab District.

i. "Pah Phyoo, the Myohoung Myooke was described "in the report of 1868 as indolent and inattentive. He is

"not so now. I think him a man of intelligence and activity." I concur in this opinion.

ii.—"Rathaidoung—Toon Oo. An intelligent man, and en-"ergetic: and possesses influence amongst the people." I concur here also.

iii.—"Kyailet—Shwè Bweng. One of the least intelligent "and most indolent of the Myookes."

I have a higher opinion of this Officer than the Deputy Commissioner has. He has previously been thought well of.

iv.—"Meng Bya—Moung Kulla. Moung Kulla is a man of "education in his language. He is not a good Judicial Offi-"cer and is very harsh and overbearing."

This is true: Moung Kulla has been recommended for pension.

v.—"Ooyittoung East—Moung Hneng. There could scarce-"ly be a worse Judicial Officer. He is lazy, indolent and I "learn, of intemperate habits."

I concur here too: he is one of the lately superannuated Judicial Officers of Arakan.

vi.—"Ooyittoung West—Moung Being. This man was "found so totally unfit for an Akoonwoon-ship in Ramree, a "small District, that he had to be removed. He makes if "possible a worse Myooke than Akoonwoon."

Quite true I believe: this Officer however has been superannuated.

vii.—"Koladan—Abass Ally. A Native of India. He fail-"ed in passing an easy examination in September 1869. He is "a man ignorant of law. The Returns show that he does "not conduct his cases with intelligence or despatch."

This man is really a native of the country though of foreign extraction. He has some good points: he is a respectable man and very willing.

RAMREE DISTRICT.

36. With regard to the Officers who preside over the 1st grade Courts of Ramree the Deputy Commissioner of that District remarks as follows:—

"Moung Nahto Shwè, Extra Assistant Commissioner "3rd class 2nd grade, is also a very good Judicial Officer," which is quite true.

"Moung Hla Htoon Oung has shown an improvement in "his decisions as shown by the results of Appeals from his "Court."

This is a good useful Officer.

"Moung Phoung Tha Oo, Extra Assistant Commissioner "3rd class 4th grade, is slow but has given satisfaction in his "decisions."

This is a man of superior stamp, much respected and a man of influence.

SANDOWAY DISTRICT.

37. With regard to the same class of Officers, the Deputy Commissioner of Sandoway states, that what he said with regard to the Extra Assistant Commissioner 2nd class Moung Thadoway, may be said of the Extra Assistant Commissioner 3rd class Moung Shwè Boo, *i. e.* that "he is painstaking and "careful in his procedure, his decisions are generally not de-"ficient in common sense." But the Deputy Commissioner states "the same cannot be said of the Extra Assistant Com-"missioner Moung Kra Oung, who is quite incompetent for "Judicial duties."

This is true: this Officer is one of those superannuated.

NORTHERN ARAKAN.

38. With regard to the Assistant Superintendent of Hill Tribes, I have to say that he is a fit man for his peculiar position of Native Magistrate in the Hill Tracts. No report received from this District.

39. The number of Suits instituted, disposed of and pending in the Courts of the 2nd Grade and the number of Appeals preferred from them and the result of those disposed of as compared with the previous year is shown below.

DISTRICTS.	For trial during the year			Decided on trial		Ex parte.	Compromised.	Otherwise disposed of	Transferred.	Total disposed of.	Average duration.	Pending.	Longest period pending.	Appeals.			Total costs on Suits disposed of.
	Pending	Instituted.	Total	Rejected.	In favor of Plaintiff.	In favor of Defendant.								Appeals preferred.	Order Confirmed.	Order reversed or modified.	
													M D				
Akyab	17	1085	1102	2	474	148	186	162	106	0	1076	9	26 5-28	33	18	12	22,220
Sandoway	1	199	200	0	117	30	20	15	10	0	193	8	2 1-15	19	13	5	1,745

2ND GRADE COURTS

I. It has already been stated that one of these Courts is situated in the Town of Akyab and the other in Sandoway.

AKYAB.

40. In the Akyab Court the number of cases on the files for disposal was 1102, the number disposed of was 1076 leaving 26 cases pending at the close of the year against 17 at the close of the previous year. Inclusive of the 304 Town cases instituted in the Kyailet Court the number of cases would appear in the 2nd grade Court of Akyab to be 1389 instead of 1102 against 1103 in the previous year which would exhibit an increase of 286.

Of 1076 the number actually disposed of by the 2nd grade Court of Akyab, 268 or 24 per cent were compromised or otherwise dealt with, 186 or 17 per cent were decided exparte, leaving 620 cases or 57 per cent decided on trial. Of this number three-fourths were decreed in favor of Plaintiffs.

The length of time taken to decide the cases was; 58 cases or 5 per cent were disposed of in 1 day, 706 cases or 65 per cent in 8 days and the remainder 312 cases or 28 per cent in above 8 days. The average duration of each case was 8 days which is the same as that of the previous year.

The Deputy Commissioner says that, "considering the "number of cases which come before that Court, and the oc- "casionally intricate nature of such cases the above result may "be considered satisfactory." In which I concur.

The case longest on the file at the close of the year was 5 months and 28 days.

"The delay" says the Deputy Commissioner, "was caused "by a difficulty having arisen in serving a summons on the "Defendant who lived in Chittagong. Three several summon- "ses were forwarded through the Courts there: but defen- "dant was not served for 6 months after the institution of the "Suit. The defendant was at last served on the 8th of Fe- "bruary 1870: and the Suit is now being tried exparte."

The number of Appeals preferred against the decision of the 2nd grade Court of Akyab was 33 or 5 per cent against 39 or 6 per cent in the previous year. The number confirmed was 18 or 54 per cent; in the previous year it was 23 or 59

per cent and the number reversed or modified was 12 or 36 per cent this year and 9 or 23 per cent in 1868.

The above result is very creditable to the Judge of the 2nd grade Court of Akyab, Moung Shwè Taw. The costs of Suits disposed of were Rs. 22,220 against 15,063 in the previous year.

SANDOWAY DISTRICT.

41. In Sandoway the number of Suits for disposal including 1 case pending at the commencement of the year was 200 which shows a slight decrease of 4 cases when compared with the previous year Of this number 198 cases were disposed of during the year leaving 2 pending at its close. Of the number disposed of 147 or 74 per cent were decided on trial, 20 or 10 per cent decreed exparte and 31 or 25 per cent compromised, or otherwise dealt with ; about three-fourths of the number decided on trial were decreed in favor of Plaintiffs.

In 1 day 6 cases or 3 per cent were disposed of; in 8 days 114 cases or 57 per cent, and in above 8 days 78 cases or 40 per cent. The average duration of each case was 8 days against 10 in the previous year. The case longest on the file was 1 month 15 days.

Of the number disposed of on trial, 19 cases or 12 per cent were appealed, against 30 or 20 per cent in the previous year. Of these in 13 cases, or 68 per cent, the orders were confirmed, against 20 or 66 per cent in the previous year; and in 5 cases or 26 per cent the orders were reversed which is the same as in previous year. The result is satisfactory.

The costs of Suits disposed of amounted to Rs. 1,745 against 1,765 in the previous year.

42. With regard to the character and qualification of the Judge of the 2nd grade Court of Akyab the Deputy Commissioner of that district says:—

"The Court of the Tsitkay of Akyab was presided over "during the year by Moung Shwè Taw.

"Moung Shwè Taw has always been well reported on. "He is an Officer of good ability and great application. His "knowledge of habits, manners, customs and language of the "natives of Bengal, who form the greater portion of the liti- "gants before him, renders him peculiarly fitted for dealing "with the petty cases of a large commercial Town."

I fully concur.

II. The Deputy Commissioner of Sandoway says:—

"The writer has every reason to be satisfied with the "Extra Assistant Commissioner Moung Thadoway, who is "painstaking and careful in his procedure, his decisions are "generally not deficient in common sense."

I also concur here.

43. The number of Suits instituted, disposed of and pending in the Courts of the 3rd Grade and the number of Appeals preferred from them and the result of those disposed of as compared with the previous year is shown below.

		For trial during the year.			Decided on trial.										Appeals.			Total costs on Suits disposed of.
		Pending.	Instituted.	Total.	Rejected.	In favor of Plaintiff.	In favor of Defendant.	Exparte.	Compromised.	Otherwise disposed of.	Transferred.	Total disposed of.	Average duration.	Pending.	Longest period case pending.	Appeals preferred.	Order Confirmed.	Order reversed or modified.	
													M. D		M. D				₹
Akyab	Mr. Hind	0	1	1	0	1	0	0	0	0	0	1	1 9	0	0 0	1	0	1	0
	„ Lloyd	0	3	3	0	1	0	0	1	0	0	2	2 16	0	0 0	0	0	0	0
	„ Duke	0	19	19	0	12	3	0	5	0	0	20	11	0	0	1	1	0	0
	„ Midwinter	0	14	14	0	6	4	0	1	0	0	11	21	0	3 3–22	0	0	0	0
Total ...		0	37	37	0	20	7	0	7	0	0	34	17	0	3 3–22	7	4	3	4502
Naaf—Moung Kulla ...		2	250	252	10	122	24	14	47	35	0	252	19	0	0	18	5	6	2340
Total ...		2	250	252	10	122	24	14	47	35	0	252	19	0	0	18	5	6	2340
Kyouk Phyoo—Shwè Dike Kay		0	181	181	8	70	16	34	11	42	0	181	18	0	0	7	4	3	3384
Total ...		0	181	181	8	70	16	34	11	42	0	181	18	0	0	7	4	3	3384

COURTS OF THE 3RD GRADE

AKYAB DISTRICT.

As before stated there were 3 Courts of the 3rd grade in this District during the year *viz.*, that of the 1st Assistant Commissioner and 2nd Assistant Commissioner (or a Senior and a Junior Assistant Commissioner) at Akyab, and of the Extra Assistant Commissioner at the Naaf.

1st Assistant Commissioner.

44. There were 37 cases for trial in the 1st Assistant Commissioner's Court of Akyab during the year. Of these 24 were disposed of leaving 3 cases pending at the close of the year. "These," the Deputy Commissioner says, "were cases arising within the ju- "risdiction of the Tsitkay of Akyab in which Europeans "were a party, and some cases arising within the jurisdiction "of the Kyailet Myooke."

Of the number disposed of, 27 cases were decided on trial, of which three-fourths were decreed in favor of Plaintiffs and 7 cases compromised. 12 cases were decided in 8 days and about a double number or 22 cases in above 8 days. The total costs of Suit was Rs. 458. The Deputy Commissioner says that :—"The cases before the Court are so mixed up with the "Courts of the Extra Assistant Commissioner 2nd class 1st "grade, (Tsitkay), and with the Court of the Extra Assistant "Commissioner Kyailet, that it is quite impossible to institute "any comparison with the last year."

The average duration of each case disposed of was 16 days. The case longest on the file was pending 3 months and 22 days.

The Deputy Commissioner says:—"The delay in dispos- "ing of the Suit was caused by the issue of a Commission to "Chittagong to examine witnesses. Commissions generally "take a long time in returning."

There were 2 Appeals preferred to the Deputy Commissioner; 1 case was from the decision of Mr. Hind, Assistant Commissioner, which was reversed.

The other from the decision of Mr. C. J. Duke, Assistant Commissioner, was confirmed.

2nd Assistant Commissioner.

45. With regard to the work of the 2nd Assistant Commissioner, the Deputy Commissioner merely states in his Report that, "11 "cases are shown as decided by the 2nd Assistant Commis- "sioner's Court during the one month it existed."

The work of Mr. Lloyd as 2nd Assistant Commissioner is not shown separately in the District Returns of Akyab. Of the 11 cases decided by Mr. Lloyd 5 cases were appealed of which 3 were confirmed and 2 reversed.

Extra Assistant Commissioner, 1st class

46. The next is the Extra Assistant Commissioner of the 1st class who presided in a 3rd Grade Court.

In this Court there were 2 cases pending from 1868; 250 instituted, total for disposal 252 against 180 in the previous year the whole of which were disposed of during the year. Of this number 14 cases or 5 per cent were decided exparte; 82 or 32 per cent compromised or otherwise dealt with and 146 or 57 decided on trial; of these five-sixths were decreed in favor of Plaintiffs.

10 cases or 3 per cent were decided in 1 day, 82 cases or 32 per cent in 8 days and 160 cases or 63 per cent in above 8 days. The average duration of each case was 19 days against 6 in the previous year.

The Deputy Commissioner says, "the duration of cases in "this Court has increased from 10 days in 1868 to 19 days in "1869. This increase is fairly attributable to the increase of "work before the Court during the year. The average dura- "tion cannot be said to be excessive."

I concur here.

Of the 146 cases decided on trial, 18 cases or 12 per cent were appealed, against 12 cases or 18 per cent in the previous year. Of these in 5 cases or 27 per cent, the orders were confirmed and in 6 or 33 per cent reversed against 6 or 50 per cent in the previous year. The above is not particularly satisfactory.

The Deputy Commissioner says, "cases appealed from the "Naaf Township are almost all between the Natives of India "regarding land: and in justice to the presiding Officer of the "Court it must be stated that they are generally intricate; "and are distinguished as a rule by mendacity which attri- "bute is brought to a great state of perfection by the Benga- "lee race.

"The Extra Assistant Commissioner's procedure is how- "ever very defective and his judgment and perceptions are "now rendered defective and blunted by years. Indeed in "1868 this Officer was pronounced unfit for the bench and

" in this year an improvement can scarcely be expected but " the contrary."

This old officer has been superannuated.

The total costs of Suits disposed of were Rs. 2,340 against Rs. 1,573 in the previous year.

RAMREE.

46. In the Court of the Extra Assistant Commissioner Kyouk Phyoo there were 181 Suits for disposal against 164 in the previous year, and they were all disposed of during the year. Of this 34 or 18 per cent were decided exparte, 53 or 29 per cent compromised or otherwise dealt with and 86 or 47 per cent decided on trial. Of this number four-fifths were decreed in favor of Plaintiffs.

9 cases or 4 per cent were decided in 1 day; 29 cases or 16 per cent in 8 days, and 143 or 79 per cent in above 8 days. The average duration of each case was 18 days against 21 in the previous year.

In 7 cases or 8 per cent of the number disposed of on trial Appeals were preferred against 23 or 26 per cent in the previous year. Of these 4 cases or 57 per cent were confirmed and 3 or 42 per cent reversed against 5 cases or 21 per cent in 1868.

The total amount of costs was Rs. 3,384 against 2,261 in 1868.

47. With regard to the character and qualifications of the above named Officers the District Officer states as follows:—

AKYAB DISTRICT.

i.—The Deputy Commissioner of Akyab states, " Mr. Hind " and Mr. Lloyd, Assistant Commissioners have never served " under me. I am unable therefore to give any opinion regard- " ing their qualifications.

Mr. Hind was a hard working Officer of considerable experience, his powers have been failing latterly.

Mr. Lloyd was a very active and zealous Officer with a very good knowledge of his duties.

ii.—" Mr. C. J. Duke, Assistant Commissioner, is an intel- " ligent young Officer who no doubt will improve when he " gains experience :" in which remark I concur.

iii.—" Mr. W. C. Midwinter, Officiating Assistant Commis-
" sioner, is a well educated gentleman, zealous, painstaking
" and attentive. He has always given his cases thought, and
" his decisions, as far as I have had an opportunity of judg-
" ing generally indicate a judicial turn of mind." From such opportunity as I have had I can say that these remarks of the Deputy Commissioner are fully justified.

iv.—"Moung Kulla, Extra Assistant Commissioner Naaf, is
" a very old Government servant, he is totally unfit for judicial
" duty and has accordingly been superannuated."

RAMREE.

48. " Extra Assistant Commissioner Moung Shwè Dike-
" Kay, says the Deputy Commissioner of Ramree, 'is' an ex-
" cellent Judicial Officer, his procedure is good and his judg-
" ments based on sound sense."

I fully concur in these remarks.

49. The number of Miscellaneous cases instituted, disposed of and pending in the 1st, 2nd and 3rd grade Courts are as shewn below.

		Pending at the close of last year.	Instituted during the year.	Total.	Decided on trial. In favor of Plaintiff.	Decided on trial. In favor of Defendant.	Decreed Exparte	Compromised withdrawn or otherwise disposed of.	Total number of cases.	Total costs.	Pending at the close of the year.
AKYAB DISTRICT.											
1st Grade Court, or Extra Asst Commissr.	3rd Class...	10	548	558	374	17	0	156	547	1268	11
2nd Ditto. or Ditto	2nd „ ...	9	1434	1443	396	174	298	557	1425	3906	18
3rd Ditto. or Asst and Ex Asst. Comr.	1st „ ...	0	179	179	125	13	2	37	177	298	2
	Total...	19	2161	2180	895	204	300	750	2149	5472	31
RAMREE DISTRICT											
1st Grade Court, or Extra Asst Commissr	3rd Class...	0	234	234	159	5	0	70	234	442	0
3rd Ditto. or Ditto.	1st „ ...	0	127	127	78	10	0	39	127	507	0
	Total...	0	361	361	237	15	0	109	361	949	0
SANDOWAY DISTRICT.											
1st Grade Court, or Extra Asst. Commissr.	3rd Class...	0	53	53	39	12	0	2	53	318	0
2nd Ditto. or Ditto.	2nd „ ...	2	167	169	110	36	0	23	169	401	0
	Total...	2	220	222	149	48	0	25	222	719	0
NORTHERN ARAKAN											
1st Grade Court, or Asst. Superintendent	3rd Class...	0	0	0	0	0	0	0	0	0	0
	Grand Total. .	21	2742	2763	1281	267	300	884	2732	7140	31

AKYAB DISTRICT.

50. The total number of Miscellaneous cases disposed of in the 1st, 2nd and 3rd grade Courts during the year under review including the 19 "cases pending at the close of last year" amounted to 2180.

This in comparison with the previous year shews an increase of 541. Of this 1099 or 51 per cent were decided on trial, 300 or nearly 14 per cent decreed exparte and 750 or 34 per cent compromised, withdrawn or otherwise disposed of. Of the total number of cases decided on trial 895 or four-fifths were decreed in favor of Plaintiffs. The number of cases pending at the close of the year amounts to 31 against 19 in the previous year.

The average duration was 7 days against 8 in the previous year and the total costs aggregate Rs. 5,472 against Rs. 759.

RAMREE.

51. There were 361 Miscellaneous cases for disposal against 268 in the previous year, all of which were disposed of.

Of this number 252 or 69 per cent were decided on trial and 109 or 30 per cent otherwise disposed of. Of the number disposed of on trial fifteen-sixteenths were decreed in favor of Plaintiffs.

The average duration was 7 days against 9 in the previous year. The total costs amounted to Rs. 949 against Rs. 480.

SANDOWAY.

52. There were 222 cases for trial including the 2 pending at the commencement of the year. This shows a slight increase of 10 cases when compared with the number in the previous year.

There were none pending at the close of the year. Of the number disposed of 197 or 88 per cent were decided on trial and 25 only or 11 per cent were otherwise disposed of. Of the number decided on trial three-fourths were decreed in favor of Plaintiffs.

The average duration was 10 days which is the same as in the previous year. The total costs of cases disposed of was Rs. 719 against 502 in the previous year.

NORTHERN ARAKAN.

53. There were no Miscellaneous cases instituted in the Subordinate Court of North Arakan.

54. The number of Original Suits instituted, disposed of and pending in the 4th grade Courts and the number of Regular Appeals preferred from them and the result of those disposed of is shown below.

	For trial during the year.			Decided on Trial.										Appeals.			Total costs on Suits disposed of.
	Pending.	Instituted.	Total.	Rejected.	In favor of Plaintiff.	In favor of Defendant.	Ex parte.	Compromised.	Otherwise disposed of.	Transferred.	Total disposed of.	Average duration.	Pending.	Longest period pending.	Appeals preferred.	Orders confirmed.	Orders reversed or modified	
												M.D.						
AKYAB.																		
Colonel Spilsbury	0	2	2	0	2	0	0	0	0	0	2	1-10	0	0	0	0	0	768
Captain Prendergast ...	0	2	2	0	1	0	0	0	0	0	1	8	0	0	0	0	0	483
Mr. Ireland...	0	1	1	0	2	0	0	0	0	0	2	29	0	0	0	0	0	620
Total...	0	5	5	0	5	0	0	0	0	0	5	25	0	0	0	0	0	1871
RAMREE.																		
Assistant Commissioner in charge Dy. Comr's. Office, Mr. Hind.	0	1	1	0	0	0	1	0	0	0	1	7	0	0	1	0	1	256
Total...	0	1	1	0	0	0	1	0	0	0	1	7	0	0	1	0	1	256
SANDOWAY.	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
NORTH ARAKAN.	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Grand Total...	0	6	6	0	5	0	1	0	0	0	6	16	0	0	1	0	1	2127

COURTS OF THE 4TH GRADE.

Original Jurisdiction.

There are, including that of the Superintendent of Hill Tribes, 4 Courts of this grade and the number of Original cases which came before them is but small.

AKYAB DISTRICT.

55. In Akyab, the number of Suits for disposal was 5. These were all for Moveable property and the whole was disposed of during the year. One Suit lasted 6 days; another 8 days; 2 from 25 to 45 days and the other from 61 to 90 days. The average duration was 29 days. None of these cases were appealed, and the total costs amounted to Rs. 1,871 only.

RAMREE DISTRICT.

56. There was one Suit instituted in the District Court of Ramree. The claim was for inheritance in Immoveable as well as Moveable property. The case is returned as having been disposed of exparte. It lasted 7 days. This case was appealed and the order of Mr. Hind, Assistant Commissioner in charge of the Deputy Commissioner's Office was reversed on the ground of erroneous procedure and illegality of orders. Full enquiry was made into this case by the Commissioner and the whole of the Proceedings submitted to the Chief Court for consideration: copies of the same were also forwarded to the head of the Administration having been called for by the Secretary to the Chief Commissioner in No. 351-3, dated 11th October last, Foreign Department (General).

SANDOWAY DISTRICT—NORTHERN ARAKAN.

57. There were no Original Suits for trial in the District Courts of Sandoway and North Arakan.

58. The number of Appeals pending, instituted and disposed of in the 4th grade Courts or the Courts of the Deputy Commissioner and the number of Appeals preferred from their decisions and the result of those disposed of is shown below.

	For trial during the year.			Decided on trial.										Appeals.			
	Pending.	Instituted.	Total.	Rejected.	In favor of Plaintiff.	In favor of Defendant.	Ex-parte.	Compromised.	Otherwise disposed of.	Transferred.	Total disposed of.	Average duration.	Pending.	Longest period pending.	Appeals preferred.	Order confirmed.	Order reversed or modified.	Total costs on suits disposed of.
												M. D.		M. D.				
AKYAB DISTRICT.																		
Depy : Commr : Colonel Spilsbury ...	10	31	41	3	9	10	0	1	0	0	23	2-20	0	0	3	2	1	768
do. Captain Prendergast	0	15	15	0	10	8	0	0	0	0	18	2-6	0	0	1	1	0	483
do. Mr. DeCourcy Ireland ...	0	77	77	4	29	33	0	0	3	0	69	1-20	23	2-5	1	0	0	620
Total ...	10	123	133	7	48	51	0	1	3	0	110	2-5	23	0	5	3	1	1871
RAMREE DISTRICT.																		
Depy : Commr : Captain Plant ...	0	4	4	0	1	3	0	0	0	0	4	1	0	0	0	0	0	40
Asst : Commr : in charge, Mr. Hind ...	0	9	9	0	1	2	0	0	0	0	3	1	0	0	0	0	0	63
Depy : Commr : Mr. Macrae ...	0	9	9	0	3	11	0	0	0	0	14	8	1	*	0	0	0	599
Total ...	0	22	22	0	5	16	0	0	0	0	21	3.	1	0	0	0	0	702
SANDOWAY DISTRICT.																		
Deputy Commissioner Mr. J. K. Macrae ...	0	34	34	4	8	20	0	0	1	0	33	17.	0	0	1	0	1	302
do. Mr. J. Treacy ...	0	11	11	1	3	3	0	0	0	0	7	24.	5	*	*1	0	0	147
Total ...	0	45	45	5	11	23	0	0	1	0	40	20.	0	0	0	0	0	449
NORTHERN ARAKAN.																		
Superintendent's Court . .	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

*Date not given by the Deputy Commissioner.

* 1 Rejected.

* 1 Pending.

Appellate Jurisdiction.

AKYAB DISTRICT.

59. As above stated the Officers presiding over the Appellate Courts during 1869 were Lieutenant Colonel Spilsbury, Captain Prendergast, Mr. DeCourcy Ireland.

The number of Appeals for trial in the Akyab District by the above named Officers was 133 including 10 cases pending from last year against 147 cases including 16 cases pending from the year previous.

The Deputy Commissioner says:—"The fact of there being "a decrease in Appeals instituted in 1869, is purely accidental. "It is found on looking over the returns for January 1870, "that numbers of cases decided in December 1869, were ap- "pealed, but not in sufficient time to bring them on the books "for 1869, such cases appeared in the files for 1870, and will "be shewn in the returns of that year The 23 pending Ap- "peals were all decided before the 31st January 1870."

The Deputy Commissioner remarks:—"The increase in "the number of pending cases is decidedly unsatisfactory.

"It resulted generally from the Deputy Commissioner "having other duties of more importance to engage his atten- "tion; and also, in some measure, to a number of Appeals, "having been instituted in the last month of the year at a "time when it was impossible to decide the cases before the "year closed. In the latter half of the month of December "1869, and just before the closing of the Courts 10 Appeals "were brought on the file."

Of these 110 were disposed of, 7 by the rejection of the petition of Appeal, 4 by compromise or withdrawal &c., and 99 by disposal on their merits, leaving 23 cases pending at the close of the year. Of the 99 disposed of on their merits, 48 were decreed in favor of Appellants and 51 in favor of Respondents. This shows that in the number disposed of the orders of the Lower Court were confirmed in 46 per cent and reversed in 43 per cent.

"The result of Appeals," says the Deputy Commissioner "shows probably more than any other test, the working of "the Courts of 1st instance. In the present year such Courts "have not given satisfaction, as 39·02 per centum, is a larger "percentage than should have been reversed, or modified on "Appeal, had the case in the first instance been intelligently

" dealt with, as regards the evidence adduced, and the hearing " of facts, and the force of natural assumptions arising out of " such facts.

" On the whole it must be confessed that Akyab is un- " fortunate, in most instances, in the presiding Judges of the " Courts of the 1st class, and that there is very large room " for improvement."

This has already been commented on *ante*.

The average duration of each Appeal was 2 months 5 days against the same period in the previous year. The Deputy Commissioner attributes this delay in disposing of the cases to the great length of time taken in sending in the Proceedings from the Naaf, a remote Township with bad communications. He also states:—

" The duration of Appeals may be sensibly affected in " any year by many causes, connected with the Revenue, and " Criminal duties of a District Officer, and it may sensibly be " affected by the amount of assistance afforded to the Deputy " Commissioner in those branches of his duties.

" During the year 1869 the Deputy Commissioner ap- " pears to have had practically no assistance whatever in the " conduct of the Criminal Judicial work of the District which " naturally takes precedence of all purely Civil business, and " the despatch in the Appellate side suffered proportionately. " Besides, from some causes which I am unable to explain " fully, the District appears to have fallen into arrears in all " branches, Revenue, Judicial, Civil and Criminal in the 1st " half of the year, and it was found impossible to reduce the " arrears completely before the end of the year."

I have to add that Mr. Ireland's predecessor, Major Spilsbury, was indeed without any assistance in the Criminal department of his duties for some months, and that throughout his tenure of Office he had but little in any department owing to an extraordinary demand for Officers elsewhere, and this during a season of uncommonly arduous work resulting from the damages of a Cyclone and a very severe visitation of Cholera. Major Spilsbury worked very hard. And in the previous year there were 126 Regular Appeals decided on trial from which 11 Second Appeals were preferred. The number of Appeals preferred in 1869, was equal to 5 per cent against 8 per cent in the previous year.

Of the 5 Second Appeals, in 3 the orders of the Lower Courts were confirmed and in 1 only they were reversed. Against the decisions of Major Spilsbury 3 Appeals were preferred, of which 2 were confirmed and 1 reversed or modified.

Against the decision of Captain Prendergast 1 Appeal was preferred and it was confirmed.

Against the decision of Mr. Ireland 1 was preferred which was rejected.

This is a satisfactory result.

The total cost of Appeals was Rs. 1,871 against 2,447 in the previous year.

RAMREE DISTRICT.

60. The Officers who presided over the Appellate Court of this District were :—

Captain Plant,
Mr. Hind,
Mr. Macrae,

There were 22 Appeals instituted in this District against 50 in the previous year. Of this number 21 were disposed of leaving 1 case pending at the close of the year. The whole of the number disposed of was decided on trial ; of which 5 cases were decreed in favor of Appellants and 16 in favor of Respondents. The above shows that in 22 per cent only the orders of the Lower Court were reversed but in 76 per cent they were confirmed, which is very satisfactory.

The average duration of each case was 3 days against 7 days in the previous year. The period for which the one Appeal case in the Deputy Commissioner's Court was pending has been omitted in the District Return.

There was no Second Appeal preferred in the Provincial Court against the orders of the Appellate Court of Ramree.

The cost of Appeals disposed of was Rs. 702 against 824 in the previous year.

SANDOWAY DISTRICT.

61. The Officers who presided over the Appellate Court of this District were :—

Captain Pemberton,
Mr. Macrae,
Mr. Treacy,

There were 45 Appeals instituted in this District against 44 in the previous year. Of this number 40 were disposed of during the year leaving 5 cases pending at its close against none in the previous year.

No explanation is given as to these 5 cases.

Of the number disposed of, in 5 cases the petitions of Appeal were rejected and 1 was otherwise disposed of. 34 cases were decided on trial: Of these 11 cases were decreed in favor of Appellants and 23 in favor of Respondents. Consequently the number in which the decrees of the Lower Court were upheld was 57 per cent and in which they were reversed was 27 per cent. Which is a fair result.

The average duration of each case was 20 days against 9 only in the previous year.

No explanation has been offered by the Deputy Commissioner of Sandoway on this point. But the duration is by no means unsatisfactory.

There were 2 Appeals preferred against the order of the Deputy Commissioner of which in one his orders were reversed.

There were no Appeals preferred before Captain Pemberton. From the decision of Mr. Macrae 1 Appeal was preferred in which his orders were reversed.

From the decision of Mr. Treacy 1 Appeal was made; his orders have been modified but since the close of the year.

The above figures are too small to support any general conclusions or to call for remark.

The date of the longest pending case has not been given in the District Return.

The cost of the Appeals disposed of were Rs. 449 against 430 in the previous year.

NORTHERN ARAKAN

62. There were no Appeal cases decided by the Superintendent of Hill Tribes.

63. The Miscellaneous cases disposed of by the 4th grade Courts of the Division are shown below:—

Miscellaneous cases.

	Decided on trial.		Otherwise disposed of.	Total disposed of.	Average duration.
	In favor of Plaintiff.	In favor of Defendant.			
Deputy Comr's. Court, Akyab ...	58	18	10	86	13
Do. Do. Ramree ...	13	0	7	20	6
Do. Do. Sandoway ...	6	1	3	10	3
Supt's. Court, North Arakan ...	0	0	0	0	0
Total.....	77	19	20	116	7

From this it will be observed that there were 116 Miscellaneous cases disposed of during the year by the Deputy Commissioners of the Division; 96 cases were decided on trial and 20 otherwise disposed of. Of the number decided on trial 77 cases or four-fifths were disposed of in favor of Plaintiffs or Appellants.

Akyab District.

64. Character and qualifications of the Deputy Commissioners.

i.—Major Spilsbury, as I have already noted was a very hard working Officer. I have a high opinion of his conscientiousness, and he is, I need not say, an Officer of considerable experience.

ii.—Captain Prendergast has not had much District experience but I found him willing and attentive to his duties.

iii.—Mr. W. DeCourcy Ireland is an Officer of superior qualifications, and considering his length of service has a great deal of experience having generally held important charges. I am thoroughly satisfied with his discharge of his duties.

Ramree District.

65. Captain Plant—this is also a superior Officer, he has also had much experience, and in all respects gave complete satisfaction in his performance of his duties.

ii.—Mr. Hind, I have already remarked upon this Officer. He was a good Assistant Commissioner in Akyab but was deficient in experience and judgment as a District Judge.

iii.—Mr Macrae, an intelligent and very painstaking Officer: his decisions will bear examination.

SANDOWAY.

66. Captain Pemberton gave every satisfaction. He conducted his judicial duties intelligently and with much care.

ii.—Mr. Treacy is an Officer of ability, decidedly above the average: he is clear headed and experienced, and has a good judicial turn of mind.

NORTHERN ARAKAN.

67. Mr. Davis, an intelligent and conscientious Officer with special qualifications as principal Civil Officer in such a country as the Hill Tracts of Arakan.

ii.—Captain Munro, a very painstaking and intelligent Officer. His judicial duties were necessarily not extensive as Superintendent of Hill Tracts, but I have found him clear headed and possessed of a good judgment.

COURT OF THE 5TH GRADE

68. This is the Court of the Commissioner of Arakan in which Appeals in Original Suits from the decisions of the 4th grade Courts and also Second Appeals from those Courts are entertained.

There were 1 Regular and 7 Second Appeals instituted in this Court during the year. Of these all but one were disposed of.

In the previous year there were no Regular Appeals instituted but 11 Second Appeals, which with 2 pending cases at the commencement of it were all disposed of during the year leaving none pending at its close.

The paucity of Second Appeals during the last two years is mainly owing to a ruling of the Chief Court dated 20th June 1867, upon the finality of the District Court decisions under Section 27 Act XXIII of 1861. The Chief Court has since over-ruled the above order by Proceeding No. 28, of fourth quarter of 1869, dated the 18th November 1869. Second Appeals now lie from decisions of District Judges in cases of debt, damage and demand though the amount at issue may be less than Rs 500 This new ruling will doubtless very much in-

crease the work of the Commissioner's Court. Of the 8 Appeal cases instituted 2 were connected with Immoveable property and 6 with Moveable.

Of the number of Second Appeals disposed of, the orders of the Lower Court in 3 cases were upheld and in two reversed, 1 was rejected and 1 remained pending at the close of the year.

The one case of Regular Appeal was also disposed of during the year. The orders of the Lower Court in this case were reversed. Thus the total number of Decrees reversed was 3, which is equal to the number confirmed.

These facts hardly call for comment, the figures are small and the result about an average one.

The average duration of each Appeal was 25 days against 7 days in the previous year. This is attributable chiefly to the much longer time taken in bringing up the records from the Southern Districts whence the cases were appealed; a delay absolutely unavoidable.

The case pending on the file was for 2 months and 8 days but it has been disposed of since the close of the year. This was an Appeal from Sandoway District. After admitting the Appeal the case was called for and the Respondent had to be summoned after the records had been read. Meanwhile press of work intervened, the year closed and the case had to remain pending on the file.

The value of Appeal cases disposed of was Rs. 7,235. The value of Stamps on them was Rs. 450, and the other costs amounted to Rs. 203, the total costs being Rs. 653.

In average the value of each case was Rs. 1,032. Stamps Rs. 64. Other costs 29. Total cost of each case Rs. 93.

Under para. 35 of the Chief Commissioner's printed Report of the Administration of Civil Justice it is stated that, "order has been issued directing the Commissioners to call for "and inspect at least 3 records of Proceedings once a quarter "or every month.". Such an order of the Chief Commissioner directing the examination of Civil Appeals has not been received in this Division.

Miscellaneous Cases.

69. There were 8 Miscellaneous cases instituted in the Court of the Commissioner of Arakan against one in the previous year. Of the 8 cases instituted 6 were decided on trial and 2 rejected leaving none pending at the close of the year. Most of these cases were for certificates of administration under Act XXVII of 1860, the others being Appeals against the orders of the Deputy Commissioner not being in the nature of a decree.

IV GENERAL REMARKS.

Arbitration

70. Arbitration is not largely resorted to in Arakan. The Deputy Commissioner of Akyab has commented as follows on this important subject in his report:—He says "only 4 cases are reported as having been submitted to Arbitration. It does not "appear to me to be a matter for regret that so few cases are "submitted to Arbitration in Akyab. Arbitrators are as a "general rule corrupt; their decisions are generally biassed "and not unfrequently ridiculous, and seldom satisfy either "party. Arbitration is looked upon, generally, as desirable "because presumedly less expensive than litigation in the "Courts. It is, however very doubtful whether it is, as a "matter of fact less expensive as Arbitrators generally extort "large ညာကိုဖွေဒ် or fees and run up a heavy bill of costs on "both sides; this taken in conjunction with the fact that the "awards are generally bad probably causes Arbitration to be "the more expensive mode of redress of the two; and the people "have rightly decided in favor of a first Appeal to the ordin-"ary tribunals."

I have further to observe that the preference shewn for our Courts affords a fair presumption that they are regarded as the best means of obtaining justice and I am decidedly of opinion that they are so. My own experience is that in Burma there is really no particular inducement to have recourse to Arbitration except when under extraordinary circumstances such as I have occasionally known, there is such a delay in the decision of Suits as amounts almost to a failure of justice. The Law favors Arbitration: the Sections of the Code which relate to it simplify and assist its procedure so markedly that it seems obvious that the Legislature had some special abuses of Court procedure or the administration of justice in India in

view in laying down such rules. Supposing that such abuses were in view, I may say that they do not exist in Burma.

Arbitration is not in demand in Burma; not that Arbitrators are likely to be more corrupt if so corrupt as elsewhere: not that our Subordinate Judges are distinguished by superior knowledge and activity: not that the people are specially litigious and prefer Courts, but mainly I think because justice is fairly and speedily administered. There are not the Amla about our Courts which rightly or wrongly certainly have the reputation of making money directly and indirectly out of Suitors in the Courts of India; and I may add further because the Laws and usages of the country, as regards Inheritance, Marriage and Divorce are so much less complicated in Burma than in India that suitors find as a matter of course that there are rarely any special difficulties in the way of a speedy and satisfactory decision of their claims by authoritative decrees of Court.

There has been a decrease of 3 cases in Arbitration comparing the year under review with the last year.

71. On the subject of the application and execution of decrees the Akyab Deputy Commissioner says :—"There were "568 applications for execution. In 165 cases, or 29 per cent "only, was the whole debt recovered. In 54 cases, or 9 per cent "part of the amount decreed was recovered, whilst in 123 "cases or 21.5 per cent, the judgment debtors disappeared. "In nearly an equal number of cases or 120, the cases were "struck off or compromised. Considering the population of "Akyab is in its nature so shifting, it is not a matter of sur-"prise that in so few cases recoveries of debts should be made "through the Courts." Again.—"It is well known in India "that it is much easier to gain a decree, than the execution of "it. The decree holders' difficulties only commence when he "proceeds to take out execution."

These remarks are much such remarks as I have had occasion to make before. The execution of decrees does not require in Burma the careful watching and special reporting which are called for in India. Decrees are not nearly so often sold as negotiable instruments as in India: Collusive decrees are very much rarer. In fact there is nothing calling for special remarks in this department of public justice in Arakan at least.

The Deputy Commissioner of Ramree gives the following :—

Statement shewing the result of applications for execution in Civil Suits in the Courts of the Ramree District.

District.	No. of application for execution.	No. of Decrees completely executed.	No. of Decrees partially executed.	Pending at end of year.	Sales of real property.	Sales of personal property.	Imprisonment.	Paid at once.	Warrant not executed.	Warrant withdrawn.
Ramree.	151	78	50	0	18	66	25	0	0	0

The Deputy Commissioner of Sandoway gives the following :—

Township.	No. of application.	Amount of decree in value of property decreed.	Costs of execution.	Received in full through Bailiff.	Received in part through Bailiff.	Imprisoned.	No assets, judgment debtor discharged.	Struck off, judgment debtor not found.	Struck off thro' decree holders fault or desire	Transferred to other Courts orpending.
Sandoway.	173	7441-0-3	534-6-4	61	54	1	21	4	32	0

Registration of Deeds

72. There has been only one Office for Registration of deeds in the Akyab District, *viz:* that of the Assistant Commissioner, Akyab. The facility afforded to the people generally in the District to register deeds, may be said to have been a minimum. Of the Permanent conveyance 8 less were registered than in 1868, the Temporary conveyance register is the same as in the previous year whilst in the general Register there was an increase of 50 documents which were principally Powers of attorney. There were no Wills registered.

The Akyab Deputy Commissioner says, "Registration has "taken no hold whatever in the interior and the results are "extremely unsatisfactory. If registration was brought home "to the doors of the people, and made free of charge then "the results might be very different from what they now "are." Regarding the remedy for scanty registration he

further says: "At page 25 para: 39 of the report on Civil "Justice for 1868 there is quoted a suggestion of the Deputy "Commissioner Ramree, that all transfers of land should first "receive the sanction of the District Officer: and that persons "making such transfers should be induced (not compelled as "I understand it) to register their transfers. I think such a "course open to grave objection and in a large District like "Akyab, with very difficult means of communication, and "often, during the rains, practically no communication at all, "such a course might be attended with disastrous results. "We have ample checks by which transfers can be known "outside of Registration; and the less we harass the people, "in a country where the ties which bind people to the soil "are often so light, by additional Rules &c., to aid in the "carrying out of an idea probably the better. I am con-"vinced that on the borders of Chittagong and Arakan such a "system would defeat itself. Suits for land in this District "are not very numerous, and in the majority of cases which "have come before me the mere fact of the instrument being "registered or otherwise would not have facilitated the de-"cision of the case in any way".

I wish to observe that while the Registration of Deeds, conveyances and many other documents is undoubtedly a great advantage to a people all that we can do first is to make its advantages known and offer it. Where the law makes it compulsory the people have to take the consequences, very serious ones, of neglecting it.

As regards Mr. Ireland's remarks upon the Registration of Transfers of land and a rule regarding the District Officer's registration of such transfers as suggested by the Deputy Commissioner of Ramree I have to say that the subject has been fully discussed by me with District Officers wherever I have seen a disposition in its favor there have been special grounds for it. I have never advocated the system nor taken any steps to carry it out. My remarks on the subject were as follows:—The practice above described in the Ramree District is a good one if it can be carried out without annoyance to the people. It is to be noted that it is not pretended that entries in the Land Assessment Rolls are thus constituted irrefragable evidence. They are regarded in the Courts only as *primâ facie* good but not conclusive evidence. In the case cited, in fact, Ramree, there was for a long time a usage

which had almost the force of law in favor of such Registration of transfers. It was introduced I believe by Major Sparks, and found great favor with the people. To make such a system compulsory or to carry it so far as to harass or interfere with the people even of Ramree was never thought of. The Deputy Commissioner further states:—

"There has been an increase in Stamps in Register No. "II (though there was no difference in the number of Deeds "registered)." This the Deputy Commissioner Akyab says is owing to the fact that out of 10 deeds registered in 1868, 3 deeds only come under section 46 of Schedule A of the Stamp Act, the rest coming under section 2 of Schedule B. For the latter, a duty of 8 annas only is leviable. On the other hand 5 out of 10 deeds registered in 1869 come under the former section—hence the increase in Stamp duty. The decrease in amount secured is attributable to the fact that in one deed registered in 1868 the amount secured amounts to Rs. 2,75,000. The Stamps used on registered documents decreased in value by Rs. 155 and the money covered by the documents registered decreased by 2,92,342 Rs. There are no general remarks on the working of the Act.

73. The Deputy Commissioner of Ramree remarks on the working of the Stamp Act in his District that the Act "works well but the "range in the denomination of stamps required for plaints is "too great and entails the keeping of a very great number of "stamps at the out station."

Stamp Act.

The Deputy Commissioner of Sandoway has offered no remarks upon this subject.

74. There were no cases instituted in the Districts of Ramree and Sandoway in which Government was a party.

75. The security of the Nazir has been reported by the Deputy Commissioner of Ramree to have been verified and to be good and substantial.

The Deputy Commissioners of Akyab and Sandoway have not touched on this subject.

76. The Akyab and Ramree Deputy Commissioners state that the Library Books are in good preservation, and the state of the records in the Ramree District is reported to have been arranged up to 1869. I made a careful inspection of the Re-

cords and Libraries of Ramree and Sandoway. They were generally satisfactory. I was absent on urgent duty in the Southern Districts in November and December and did not examine those of Akyab.

77. With regard to the examination of the records of the Subordinate Courts, the Akyab Deputy Commissioner states that the registers, files &c. in the marginally noted Courts were all examined by him, and found to be correct with the exception of those in Mengbra which were beyond description badly kept.

Assistant Commissioner Akyab
Tatkay
Kaliet
Mengbra
Oovittoung East
Do West

78. A first class Pleader was admitted by the Commissioner of Arakan without an examination during the year under review.

Compromises.

79. In the Civil Justice Report of British Burma last year it was remarked that neither the Commissioner of Pegu nor Arakan had made any remark upon the number of Suits compromised and withdrawn.

In Arakan the number is always exceptionably large. It is noticeable so again this year. I have specially considered the subject but am not sure that I can yet give a satisfactory explanation of it. What I am disposed to say is this; that we have a large proportion of Natives of India and their descendants in Arakan and that this class appears to be especially qualified to work the machinery of our Courts. A very large proportion of our cases is of the nature of small causes and it is a common practice to take out execution in a Suit simultaneously with the Summons, or immediately afterwards. This summary mode of procedure speedily brings debtors to the desired conclusion. This class, and now perhaps the Arakanese people also, find that as a matter of business the shortest way of getting a debt paid is to sue for it. It is of course well known that this is the common every day procedure of certain classes of people in England, house owners, retail shop keepers and others. The Courts are in fact their regularly employed Agents for collecting their demands. The fact which is very apparent in Arakan, whatever may be its real explanation, is I think significant as to the appreciation of our Courts.

80. I wish to take this opportunity of expressing my full concurrence in the views expressed by the Chief Commissioner in the 41st para: of his Report, regarding the appointment of influential men of family to the Office of Extra Assistant Commissioner. Too much attention I think cannot be paid to the recommendation of candidates for these offices. It should ever be borne in mind that our Extra Assistant Commissioners (Myookes especially) are not merely the Munsifs and Tahsildars of India. They have duties to perform like those of District Officers on a small scale, and there is therefore special reason why they should be something more than smart young men from the schools or intelligent clerks; we want much more in them than any system of examinations can secure.

REPORT

OF THE

SESSIONS JUDGE OF PEGU,

FOR 1869.

I. INTRODUCTION.

The business done in five of the six grades of Courts working under Act I of 1863, is the subject of this Report. Added to them is the Court of Small Causes in the Cantonment of Rangoon. The Judge of which exercises jurisdiction as provided in Act XI of 1865.

2. The Report will divide itself into the following heads:—

I. APPEALS.

i.—*Divisional Court of Appeals.*

a. Second Appeals.

b. Regular Appeals.

ii.—*District Courts of Appeals.*

II. ORIGINAL SUITS.

i.—*Commission Courts.*

ii.—*Court of Small Causes in the Cantonment of Rangoon.*

I. APPEALS.

1—PROVINCIAL COURT

3. The Judge of the Provincial Court (5th grade) was Lieut. Colonel Ardagh, throughout the year.

a. SECOND APPEALS.

On Second Appeals—that is Appeals from the decisions of District Appellate Courts in which Deputy Commissioners had reversed or interfered with the decree of the Court of original instance, there were at the close of 1868, some 8 pending. 32 Appeals of this class were instituted during the year 1869, making a total of 40 Second Appeals. Of these 37 were disposed of within the year, leaving on the pending file, 3 cases at the close of the year under report.

Of these last, two (vide Margin) were instituted in December, and the third from Prome was a pending case, kept undecided in consequence of an oversight of the Court Clerks to include it in a list of cases ordered for hearing on circuit when the Commissioner visited Prome in October last. It was accordingly obliged to lie over.

No. 31 from Deputy Commissioner, Prome
No 32 from Deputy Commissioner, Toungoo.

4. All these have since been disposed of.

5. No less than 23 of the 32 Appeals instituted were connected with Land.

6. Of the 37 cases disposed of, 4 were never brought to trial at all, the petition being rejected: 3 were transferred, and 1 dismissed in default; so that in point of fact 29 only were disposed of by the Commissioner, after trial, of which 21 were disposed of in favour of the Respondent.

7. There was a falling off of 18 cases in the 2nd Appeals instituted, but the number of pending cases had fallen from 8 to 3 as above noted.

8. The duration of these cases under trial, was no less than 1 month and 25 days, shewing a falling off of 6 days when compared with the previous year.

9. In his remarks on the Reports of Civil Justice for 1868, the Chief Commissioner noted that he would prefer to see greater rapidity in the disposal of Suits in the Courts of the 5th grade, especially in Pegu, and that the work in this Court has not been carried on with that diligence which is so essential.

10. I would beg to invite attention to what will be found noted by me in my Report for that year, wherein I explained that the length of time taken to decide an Appeal case arises from the necessity of perusing the judgment of the Court below, the petition of Appeal, and the whole, or any part of the record of the original Suit, *in the presence* of the Appellant or of his constituted Agent. I pointed out that petitions of Appeal from the Districts (excepting Rangoon) were often (I may say as a general rule) sent up through the post and the Appellant waits until he receives a notice to attend He then comes up under Section 15 of Act I of 1863 to be *present* at the preliminary hearing of his case.

11. If in the course of the preliminary hearing, the Court considers that the Appellant has made out a *primâ facie* case, the Respondent has to be sent for.

12. I pointed out that all this takes up much time, and from 6 weeks to 2 months, as an average, in disposing of a case in appeal, is the result.

13. To this I will now add, that when it is found that, inconvenience would result to the parties if they had to appear before the Appellate Court at Rangoon, the hearing is ordered to be on circuit, and this of course also tends to lengthen the duration.

14. Unless Civil Appeals are allowed to be disposed of in the same way as Criminal Appeals, *i. e.*, without requiring the presence of the Appellant,—I fear that the duration of Suits cannot be much shortened.

15. It is objected, that the time to decide this class of Suit, is much less in the sister Provinces of Arakan, and Tenasserim, than in Pegu;—That arises from a large proportion of the Appeals in those Divisions being from the Deputy Commissioners at the Head Quarters of the Divisions, where the petitions of Appeal are presented *in person*, and can be quickly dealt with.

16. In Pegu, the Second Appeals which were decided during the year, were from the following Courts:—

From what District Court.	Tried in 1869	Order.		Rejected	Otherwise disposed of.
		Confirmed	Modified		
Rangoon	2	0	1	0	1
Bassein	0	1	1	1	0
Myanoung...	7	4	2	1	0
Prome	22	15	4	2	1
Toungoo	3	1	0	0	2
Total..	37	21	8	4	4

17. The Chief Commissioner will see from this, that instead of the greater portion of 2nd Appeals being from the Rangoon District, they are from distant Stations, and that

time in even taking the Appeal up for preliminary hearing, enters largely into the requirements of each case.

18. The proportion of confirmed to rejected cases as set forth in the table above was as below :—

1868.			1869.	
No.	Per cent.		No.	Per cent.
27	60	Rejected and decided in favor of Respondent.	25	67·57
9	20	Decided exparte and in favor of Appellant.	8	21·62
9	20	Otherwise disposed of. ...	4	10 81
45	100		37	100·00

19. The total value of the Suits in 2nd Appeal was Rs. 9,594 in 1868 to 9,442 in 1869 excluding the value of three transferred cases.

20. The value of Stamps was Rs. 423-4-0 as compared with Rs. 1,094-8 the previous year. In explanation it is noted, that three of the Appeals instituted, valued at nearly Rupees 4,000 vide margin were Pauper Suits.

725
2,110
1,060
Rs 3,895

Subject to this explanation the costs of every descriptior amounted to Rs. 730 against 1,409 of the previous year.

b. Regular Appeals.

21. There were none in 1868.

22. In 1869, there were two. One from Rangoon, an the other Prome. They were disposed of as below:—

1 Confirmed.

1 Reversed.

The average duration was 26 days.

The value of these Suits was Rs. 3,250.

The Stamps amounted to Rs. 329.

and the cost of litigation to Rs. 415.

II—DISTRICT COURTS

23. The District Officers during the year have been as below :—

RANGOON....i.—Captain Lloyd from 1st January to 4th May 1869.

ii.—Mr. H. W. Beddy from 12th May to 23rd August 1869.

iii.—Major Davies from 2nd September to 31st December 1869.

BASSEIN.....i.—Mr. H. W. Beddy from 1st January 1869 to 8th May 1869.

ii.—Major McMahon from 9th June 1869 to 15th October 1869.

iii.—Captain Pemberton from 1st Novr. 1869 to 31st December 1869.

MYANOUNG...i.—Lieut. Col. C. P. Hildebrand from 1st January 1869 to 8th February 1869.

ii.—Captain W. C. Plant from 29th March 1869 to 31st December 1869.

PROME.....i.—Captain C. W. Street from 1st January 1869 to 4th March 1869.

ii.—Lieut. Colonel Horace Browne from 18th March 1869 to 31st December 1869.

TOUNGOO....i.—Major McMahon from 1st January 1869 to 14th May 1869.

ii.—Lieut. Hughes from 15th May to 31st December 1869.

24. The Appeal work performed by the above Officers was as follows :—

DISTRICTS.	Pending.	Instituted.	Total.	Disposed of.	Pending.
Rangoon	7	64	71	70	1
Bassein	11	132	143	90	53
Myanoung... ...	99	178	277	275	2
Prome	6	264	270	263	7
Toungoo	4	145	149	148	1
Total ...	127	783	910	846	64

25. The way in which Captain Plant set himself to work and reduced the number of Appeals which had accumulated in the Myanoung District in 1868, is noticed with much satis-

faction. Out of 277 Appeals on the file, there were only 2 pending at the close of the year.

26. In Bassein on the contrary the number of pending Appeals increased from 11 to 53.

The present Deputy Commissioner joined his place in November, and the accumulation is ascribed to the Deputy Commissioner having been changed twice during the year; to Major McMahon's prolonged absence from the District before the receipt of the order under which he was transferred to the Political Agency at Mandalay; and to the District in the interim having no Appellate Court. It is trusted that Captain Pemberton will show a clean file next year.

27 The duration of the Appeal Suits in the District Courts was:—

In Rangoon... ...79 days.
Bassein ... ...85 do.
Myanoung...102 do.
Prome... .....14 do.
Toungoo... ...12 do.

28. The increased duration of Appeal in the Courts of the Deputy Commissioner Rangoon from 27 to 29 days, and the Deputy Commissioner of Bassein from 71 to 85 days is very unsatisfactory, but the changes in the administration of these Districts, made twice over in each instance, are submitted as some excuse.

29. The average in Myanoung is still large, but Captain Plant reduced it from 173 to 102, and the large legacy of Appeals left him by his predecessor must be remembered. He has worked off all arrears, and I have no doubt that the District will this year show, as well, as it has hitherto shown badly.

30. In Prome the decrease from 39 to 14 is satisfactory. This is due to Lieut. Col. Horace Browne.

31. In a District with so little Court work in it as Toungoo, not much variation, can well occur. The average duration for the last 3 years has been 11,13 and 12 days for each Suit.

32. The below gives the percentage of cases in which the decisions of the Lower Courts were upheld or interfered with:—

I.—*Decision of lower Court upheld*:

Rangoon	37·14	per cent.
Bassein	60·00	do.
Myanoung	57·49	do.
Prome	37·64	do.
Toungoo	42.57	do.

II.—*Decision of lower Court interfered with*:—

Rangoon	30·00	per cent.
Bassein	24·44	do.
Myanoung	28·36	do.
Prome	52·85	do.
Toungoo	33·10	do.

III.—*Otherwise Disposed of*:—

Rangoon	32·86	per cent.
Bassein	15·56	do.
Myanoung	14·15	do.
Prome	9·51	do.
Toungoo	24·33	do.

33. It will from the above, be seen, that the Courts in the Prome District are those in which the original Decrees had mostly to be interfered with in appeals.

34. The values of the Suits in District appeal, the cost of Stamps and the total Court costs are shewn in the accompanying statement.

35. They amount in total for the District Courts as follows:—

1868.			1869.
Rupees 1,12,331	Value of Suits	Rupees	90,423
„ 9,319	Value of Stamps	„	7,754
„ 12,863	Costs of all sorts	„	11,829

36. A decrease in valuation &c., is thus apparent although the number of Appeals in total exceeded those of 1868 by 33.

II. Original Suit.

1—Commission Courts.

37. The Deputy Commissioners have already been noted.

The Suits instituted during the year were:—

In Rangoon 6. In Bassein 3. In Prome 4. And in Toungoo 2.

Of these, all were disposed of except 2 in Rangoon and 1 in Toungoo.

38. The Assistant Commissioners and Extra Assistant Commissioners of the 3rd grade of Court with jurisdiction in cases valued between 3,000 and 5,000 Rs. decided Original cases as follows :—

DISTRICTS.	Remaining.	Instituted.	Total.	Disposed of.	Pending.
Rangoon...	16	348	364	331 5	28
Bassein	4	878	882	867	15
Myanoung	0	107	107	107	0
Prome...	2	188	190	176	14
Toungoo...	0	55	55	55	0
Total...	22	1,576	1,598	1,541	57

39. The Tseetkays or Extra Assistant Commissioners 2nd class, with jurisdiction ranging from 500 to 3,000 Rupees tried cases as follows :—

Bassein...	1	705	706	704	2
Myanoung... ...	3	435	438	438	0
Prome...	6	1,042	1,048	1,030	18
Toungoo... ...	7	611	618	614	4
Total...	17	2,793	2,810	2,786	24

40. While the lowest grade of Court that of Myooke, dealt with the remainder, *viz.*

Rangoon..	17	1,931	1,948	1,914	34
Bassein	8	1,550	1,558	1,548	10
Myanoung	4	2,324	2,328	2,328	0
Prome...	28	2,099	2,127	2,091	36
Toungoo...	0	467	467	464	3
Total...	57	8,371	8,428	8,345	83

41. The total value litigated in Original Suits was Rupees 8,87,440 as compared with Rs. 8,90,720 in 1868.

42. The value of Stamp papers used, and the total cost was also :—

1868.		1869.
Rs. 96,463-8-8	Stamps	Rs. 88,929-9-4
„ 1,42,093-8-2	Total costs	„ 1,36,070-12-9

43. The duration of the Original Suits is given by classes of Courts in the statement accompanying.

44. The Deputy Commissioners took time as follows to decide the cases :—

In 1868.			In 1869.
97	days.	Rangoon	38 days.
—	„	Bassein	30 „
81	„	Prome	56 „
—	„	Toungoo	4 „

45. The Assistants and Extra Assistant Commissioners of the 1st Class (3rd grade of Court) as follows :—

45	days.	Rangoon	22 days.
8	„	Bassein	11 „
9	„	Myanoung	7 „
14	„	Prome	25 „
15	„	Toungoo	7 „

46. Tsoetkays (Extra Assistant Commissioners 2nd Class) or Courts of the 2nd grade :—

9	days.	Bassein	14 days.
10	„	Myanoung	8 „
8	„	Prome	28 „
11	„	Toungoo	10 „

The Myookes or Extra Assistant Commissioners 3rd Class lowest grade of Court:—

13	days.	Rangoon	15 days.
11	„	Bassein	19 „
9	„	Myanoung	8 „
13	„	Prome	16 „
5	„	Toungoo	3 „

47. The Deputy Commissioners note the reason of any remarkable enhanced duration when the same may be found to have taken place.

48. The duration in the three Lower grades of Court in the Prome District, has increased in an unsatisfactory manner. I observe the Deputy Commissioner is enquiring about the cause.

49. Suits to which Government is a party.

A Memo of this, is appended.

ARBITRATION.

Cases were referred as follows:—

Rangoon	10	cases.
Bassein	211	„ *viz.*, 96 referred and 115 private award filed as allowed in Section 327.
Myanoung	28	cases.
Prome	66	„
Toungoo	12	„

50. A perusal of the Deputy Commissioner's reports will show that private arbitration is largely resorted to in the interior, although Bassein is the only District in which the awards appear to be systematically or to any extent brought in for *record*.

51. When such is conducted by neighbours and village elders, it should be respected as much as practicable. But I also am aware of a class of people who set themselves up as peripatetic arbitrators, ready to be called in whenever wanted and who have their touts as the Parsons of "Fleet" notoriety used to in former days before swept away by the besom of the Law.

SMALL CAUSES COURT

52. The report submitted by the Judge of the Small Cause Court in Rangoon is annexed.

53. This Court has been presided over during the year by three several Officers.

Lieut. Hughes, now Officiating Deputy Commissioner Toungoo.

Capt. Strover, now Assistant Political Agent at Bhamo.

Capt. Evanson, the present Cantonment Magistrate.

54. The following shows the working :—

Suits instituted.	347-0-0
Their value Rs.	15,294-6-4
Value of Stamps	1,378-8-0
Other Costs	389-3-0

55. The average duration of the Suits was four days and of witnesses one day. This is considered to be very satisfactory.

MISCELLANEOUS SUITS IN ALL THE COURTS.

56. The following table shows the total work that was

done under this head in all the Courts, exclusive of that of the Commissioner.

In 1868		In 1869.
24...	...	59
2,965..	Instituted ...	3,395
2,989...	Total ...	3,454
2,930...	Disposed of ...	3,364
59...	Pending ...	90

EXECUTION OF DECREES.

Rangoon Small Causes 89	Execution was sought for in 2373 cases as detailed in Margin.
Rangoon 459	
Bassein 605	In these property was sold under decree in 1475 cases.
Myanoung 558	
Prome 469	Persons incarcerated in 128 cases.
Toungoo 193	

PLEADERS.

57. The Pleaders rules of the year 1863 are still in force although it is considered that the extension of the Pleaders Act to this Division would be a benefit.

58. Of Certificated Pleaders (not Barristers) there are now on the Rolls :—

	1st class.	2nd class.	3rd class.
In Rangoon	4	13	69
Bassein	0	2	27
Myanoung	0	0	52
Prome	0	2	9
Toungoo	0	0	22

59. The great number of 3rd Class Pleaders in Rangoon and Myanoung is owing to, by far too many persons being at one time allowed to plead by former Deputy Commissioners.

These for the most part were ignorant of any thing like procedure, or even the principles of law.

EXAMINATION OF BOOKS.

60. The books of the several Deputy Commissioners' Courts were examined on circuit by the Commissioner during the year, except Toungoo which he visited in February. They were generally found to be properly kept up.

The books of the Subordinate Courts were examined by the Deputy Commissioners, whose remarks on the same will be found in their reports.

The Books kept by the Judge of the Court of Small Causes, were not examined, as he is considered to be under the Recorder of Rangoon.

REGISTRATION OF DEEDS.

61. The number of Deeds registered during the year was :—

	Permanent conveyance.	Temporary conveyance	General Register.	Wills	Total
Rangoon	407	354	104	1	866
Bassein	36	39	15	3	93
Myanoung... . .	0	0	0	0	73
Prome	169	98	19	1	287
Toungoo	26	3	16	1	46

Offices for registration were kept open in the following towns :—

RANGOON.....Rangoon Town.
BASSEIN.....Bassein and Pantanaw.
MYANOUNG ....Henzada and Myanoung.
No Deeds registered at Mengyee.
PROME.....Prome and Thayetmyo.
TOUNGOO.....Toungoo Town.

NOTICE OF OFFICERS.

62. The Deputy Commissioners have all done their work efficiently during the year.

Captain Plant of Myanoung and Lieut. Col. Horace Browne of Prome, are particularly noticed.

The first is a very zealous Officer, and who carries great weight with him in the administration of his District, while Colonel Horace Browne is known to the Chief Commissioner as being one of the best Civil Judicial Officers in the Province.

The several Assistants and Extra Assistants who deserve consideration, will be found noted in the District Reports.

63. I would notice Major Munro, Assistant Commissioner of Thayetmyo, now Officiating Deputy Commissioner Prome, amongst the Assistants, and Moung-Kyaw Doon in charge of the important town of Henzada amongst the Extra Assistants, as deserving especially the notice of the Local Government for the manner in which they have performed their duties.

REPORT

OF THE

SESSIONS JUDGE OF TENASSERIM,

FOR 1869.

SECTION II

1. The following Returns are forwarded with this report:—

i.—Statement of Suits of every description, instituted, disposed of and pending.

ii.—Classification of Appeals and Original Suits instituted

iii.—Detail of Suits disposed of.

iv.—Supplementary Return showing duration of cases, value of Suits, Stamps and costs.

v.—Supplementary Civil Return showing value of Suits decided and also value of Stamps and costs, &c.

A.—Statement of average duration of Suits.

B.—Statement showing the result of Appeals and Second Appeals.

C.—Statement showing the result of Appeals from each Grade of Courts.

D.—Statement of duration of Civil cases.

E.—Statement showing the proportion of Appeals decided or otherwise disposed of.

F.—Detail Statement of Miscellaneous cases instituted, disposed of and pending.

Four District Civil Reports in original.

2. The following was the state of the regular files (Appeals and Original Suits) pending on the 1st January 1869, and 1st January 1870, in the Civil Courts throughout the Division:—

Districts and Division.	Designation.	Pending on 1st January 1869.			Pending on 1st January 1870.		
		Appeals.	Original Suits.	Total.	Appeals.	Original Suits.	Total.
	Commissioner's Court. ...	0	0	0	1	0	1
AMHERST...	1 Deputy Comr.'s Court...	3	0	3	2	0	2
	3 Assistant Comr.'s Court.	0	3	3	0	0	0
	1 Ex. Asst. Comr. 1st class.	0	0	0	0	0	0
	11 do. 3rd class	0	76	76	0	68	68
	Total.....	3	79	82	2	68	70
TAVOY.....	1 Deputy Comr.'s Court...	15	0	15	0	0	0
	1 Ex. Assistant Comr. 2nd class.	0	26	26	0	1	1
	3 do. 3rd class	0	2	2	0	3	3
	Total.....	15	28	43	0	4	4
MERGUI.....	1 Deputy Comr.'s Court...	0	0	0	0	0	0
	1 Ex. Assistant Comr. 2nd class	0	0	0	0	2	2
	3 do. 3rd class	0	0	0	0	0	0
	Total.....	0	0	0	0	2	2
SHWE-GYEEN ...	1 Deputy Comr.'s Court..	10	0	10	8	0	8
	2 Asst. Comr.'s Court. ...	0	2	2	0	0	0
	1 Ex. Asst.Comr. 2nd class	0	0	0	0	0	0
	5 do. 3rd class.	0	2	2	0	1	1
	Total.....	10	4	14	8	1	9
	ABSTRACT.						
TENASSERIM DIVISION.	1 Commissioner's Court...	0	0	0	1	0	1
	4 Deputy Comr.'s Court...	28	0	28	10	0	10
	5 Assistant Comr.'s Court..	0	5	5	0	0	0
	4 Ex. Asst. Comr. 1st and 2nd class	0	26	26	0	3	3
	22 do. 3rd class.	0	80	80	0	72	72
	Grand Total...	28	111	139	11	75	86
	Decrease.....	0	0	0	17	36	53

3. It will be seen from the above Statement that there was a total decrease of 53 pending Suits, as compared with the previous year.

4. There was only 1 Second Appeal pending in the Court of the Commissioner Tenasserim Division at the close of the year. This case was instituted in December and was postponed by the parties till 6th January 1870.

AMHERST.

5. The return of this District shows a satisfactory decrease of 9 pending cases at the close of the year *viz.*, one Appeal in Deputy Commissioner's Court and 8 Original Suits in the Extra Assistant Commissioner's Courts. The Deputy Commissioner remarks as follows:—"The total number of cases pending is "satisfactory being not in excess of what ought to be expected "bearing in mind the fact that a clear file at the close of the "year is no criterion of the due administration of justice".

TAVOY.

6. Great improvement is also shown in the return of this District, there being only 4 (Original) Suits pending on the files of the Extra Assistant Commissioner's, whereas there were 43 at the close of 1868.

MERGUI.

7. There were only 2 (Original Suits) pending in the Court of the Extra Assistant Commissioner 2nd Class.

SHWE-GYEEN.

8. The total number of pending cases at the close of the year was 9, 8 of which were Appeals in the Court of the Deputy Commissioner and one Original Suit in that of the Extra Assistant Commissioner 3rd Class, shewing a decrease of 5 pending Suits when compared with the previous year. There is a marked improvement in all the Courts shewn by the above report.

9. The following table exhibits the number of Appeals and Original Suits instituted in the Courts of the Tenasserim Division during the years 1868 and 1869:—

Districts and Division.	Designation.	Cases instituted in 1868.			Cases instituted in 1869.		
		Appeals.	Original Suits.	Total.	Appeals.	Original Suits.	Total.
	Commissioner's Court... ...	28	„	28	28	„	28
AMHERST.	1. Deputy Commr.'s Court...	114	1	115	105	„	105
	3. Asst: Commr.'s Courts...	„	17	17	„	16	16
	1. Ex: Asst: Comr. 1st class	„	6	6	„	4	4
	11. Do. 3rd class...	„	964	964	„	897	897
	Total ...	114	988	1102	105	917	1022
TAVOY.	1. Deputy Commr.'s Court...	132	„	132	142	„	142
	1. Extra Assistant Commissioner 2nd class...	„	295	295	„	250	250
	3. Do. 3rd class....	„	309	309	„	257	257
	Total ...	132	604	736	142	507	649
MERGUI.	1. Depy: Commr.'s Court ...	56	„	56	33	1	34
	1. Extra Assistant Commissioner 2nd class...	„	530	530	„	531	531
	3. Do 3rd class...	„	167	167	„	122	122
	Total ...	56	697	753	33	654	687
SHWE-GYEEN	1. Deputy Commr 's Court...	106	1	107	125	1	126
	2. Assistant Commr.'s Court	„	18	18	„	9	9
	1. Extra Assistant Commissioner 2nd class...	„	305	305	„	329	329
	5. Do. 3rd class...	„	658	658	„	657	657
	Total ...	106	982	1088	125	996	1121
TENASSERIM DIVISION.	ABSTRACT.						
	1. Commissioner's Court ...	28	„	28	28	„	28
	4. Depy: Commr.'s Courts...	408	2	410	405	2	407
	5. Asst: Commr.'s Courts...	„	35	35	„	25	25
	4. Extra Assistant Commissioners 1st and 2nd class	„	1136	1136	„	1114	1114
	22. Do. 3rd class.	„	2098	2098	„	1933	1933
	Grand Total	436	3271	3707	433	3074	3507
	Decrease ...	„	„	„	3	197	200

10. The above shews a decrease of 200 (Appeals and Original Suits) instituted during the year under review.

Divisional Court.

11. In the Divisional Court of Tenasserim there were 28 Second Appeals instituted during the year 1869, being the same number as in previous year. No Regular Appeals have been preferred during the year from the Courts of any of the Deputy Commissioners.

Amherst.

12. The return for this District exhibits a decrease of 9 Appeals and 71 Original Suits during the year under review. The Deputy Commissioner in his report remarks :—

"Civil litigation has doubtless declined during the year "as compared with 1868, but it is impossible to refer such "decline to any one cause, the effect of the Stamp Act of 1867 "must have been felt in 1868, yet the litigation increased in "that year, and in 1869 it was still in excess of what it was "in 1867, in which there were only 97 Appeals and 899 "Original Suits against 105 and 917 in 1869, it therefore can-"not be affirmed that the Act had any thing to do with the "decrease; the most probable causes are the bad harvest and "the dullness of the timber trade, but there must be an ebb and "flow in litigation as in every thing else and it is not impos-"sible that the decrease is attributable to this alone."

Tavoy.

13. In this District there was an increase of 10 Appeals instituted in the Deputy Commissioner's Court, but the number of Original Suits instituted in the subordinate Courts shews a decrease of 97 cases. The Deputy Commissioner says that he has no particular reason to offer for this decrease.

Mergui.

14. In this District there was a decrease of 23 Appeals before the Court of the Deputy Commissioner and an increase of only one Original Suit in the Court of the Extra Assistant Commissioner 2nd Class, and a decrease of 45 Suits in the Courts of the Extra Assistant Commissioners 3rd Class. The decrease in Appeals in the Deputy Commissioner's Court is owing probably to the decrease in the Suits before the lower Courts.

SHWE-GYEEN.

15. The table for the District shews an increase of 19 Appeals and 14 Original Suits making a total of 33 cases. The increase under both heads being small no special remarks are called for.

Classification of Appeals and Original Suits.

16. The following table shews the numbers of the two description of Original Suits and Appeals, *i. e.*, "Suits connected with Immoveable property" and "Suits not connected with Immoveable property" instituted in all the Courts of this Division during the past two years:—

Years.	Cases connected with Immoveable property.		Cases not connected with Immoveable property.	
	Appeals.	Original Suits.	Appeals.	Original Suits.
1868 ...	134	407	302	2864
1869 ...	154	542	279	2532
Increase.	20	135	0	0
Decrease.	0	0	23	332

17. There is an increase of 20 Appeals and 135 Original Suits under the first head, and a decrease of 23 Appeals and 332 Original Suits under the latter head; the deduction to be drawn from this is that litigation regarding Land and Houses is on the increase in this Division.

18. The number of Appeals and Original Suits "decided on trial" and "finally disposed of" during the years 1868 and 1869, is given in the following table:—

Districts and Division.	Designation.	1868. Appeals. Decided on trial.	1868. Appeals. Finally disposed of.	1868. Original Suits. Decided on trial.	1868. Original Suits. Finally disposed of.	1869. Appeals. Decided on trial.	1869. Appeals. Finally disposed of.	1869. Original Suits. Decided on trial.	1869. Original Suits. Finally disposed of.
	Commissioner's Court. ...	23	30	0	0	19	27	0	0
AMHERST...	1 Deputy Comr.'s Court. A.	112	139	1	1	98	106	0	0
	3 Assistant Comr.'s Court. ...	0	0	18	22	0	0	15	19
	1 Extra Asst: Comr. 1st class.	0	0	2	6	0	0	4	4
	11 do 3rd class.	0	0	674	944	0	0	637	905
	Total...	112	139	695	973	98	106	656	928
TAVOY.....	1 Depy: Comr.'s Court. ...	117	123	0	0	153	157	0	0
	1 Ex: Asst: Comr. 2nd class.	0	0	209	273	0	0	213	275
	3 do 3rd class.	0	0	271	307	0	0	200	256
	Total...	117	123	480	580	153	157	413	531
MERGUI.....	1 Deputy Comr.'s Court. ...	56	56	0	0	33	33	1	1
	1 Extra Asst: Comr. 2nd class	0	0	431	530	0	0	438	529
	3 do 3rd class.	0	0	161	167	0	0	114	122
	Total...	56	56	592	697	33	33	553	652
SHWE-GYEEN...	1 Deputy Comr.'s Court. ...	95	108	1	1	119	127	1	1
	2 Asst: Commissioner's Court.	0	0	16	20	0	0	7	11
	1 Extra Assistant Commr: 2nd class.	0	0	218	305	0	0	237	329
	5 do 3rd class.	0	0	423	667	0	0	443	658
	Total...	95	108	658	993	119	127	688	999
	ABSTRACT.								
TENASSERIM DIVISION.	1 Commissioner's Court. ...	23	30	0	0	19	27	0	0
	4 Deputy Comr.'s Court. ...	380	426	2	2	403	423	2	2
	5 Assistant Comr.'s Court...	0	0	34	42	0	0	22	30
	4 Extra Asst: Comr. 1st and 2nd class.	0	0	860	1114	0	0	892	1137
	22 do 3rd class.	0	0	1529	2085	0	0	1394	1941
	Total...	403	456	2425	3243	422	450	2310	3110
	Increase.	0	0	0	0	19	0	0	0
	Decrease...	0	0	0	0	0	6	115	133

19. From the above it will be observed that there was a decrease of 96 cases (Appeals and Original Suits) decided on trial and of 139 finally disposed of during the year.

20. There were no cases pending above one year in any of the Courts in this Division for either year.

Divisional Court.

21. The return of the Divisional Court exhibits a decrease of 3 Appeals "decided on trial" and 2 "finally disposed of" during the year.

Amherst

22. In this District the returns show a decrease of 14 Appeals in the number "decided on trial" and 33 "finally disposed of," and a decrease of 99 Original Suits "decided on trial" and 45 "finally disposed of". There were no Original Suits before the Deputy Commissioner during the year and there was only one in 1868.

Tavoy.

23. There was an increase in the Tavoy District of 36 Appeals and a decrease of 67 Original Suits in the number "decided on trial" and an increase of 34 Appeals and a decrease of 49 Original Suits "finally disposed of".

Mergui.

24. The Statements for this District show a decrease of 23 Appeals and 39 Original Suits in the number entered as "decided on trial" and a decrease of 23 Appeals and 45 Original Suits in the number "finally disposed of".

Shwe-Gyeen.

25. The returns exhibit an increase in the number "decided on trial" of 24 Appeals and 30 Original Suits, and in the number "finally disposed of" an increase of 19 Appeals and 6 Original Suits during the year under review.

26. The table below gives the number of the Miscellaneous cases pending on the 1st January 1869 and 1st January 1870, respectively:—

Districts and Division.	Designation.	Pending 1st Jany: 1869.	Pending 1st Jany: 1870.
	Commissioner's Court.	0	0
AMHERST.	1 Deputy Commissioner's Court.	3	1
	3 Assistant Commissioners' Court.	2	0
	1 Ex. Asst. Comr's: Court 1st class.	0	0
	11 do. 3rd class	39	27
	Total...	44	28
TAVOY.	1 Deputy Commissioner's Court.	0	0
	1 Extra Asst: Commissioner's 2nd Class.	0	0
	3 do. 3rd class	0	0
	Total..	0	0
MERGUI.	1 Deputy Commissioner's Court.	0	0
	1 Extra Assistant Commissioner's 2nd class.	0	0
	3 do. 3rd class	0	0
	Total...	0	0
SHWE GYEEN	1 Deputy Commissioner's Court.	0	0
	2 Assistant Commissioners' Courts	2	0
	1 Extra Assistant Commissioner 2nd class.	0	0
	5 do. 3rd class	1	11
	Total...	3	11
	ABSTRACT.		
TENASSERIM DIVISION.	1 Commissioner's Court.	0	0
	4 Deputy Commissioners' Courts.	3	1
	5 Assistant Commissioners' Courts.	4	0
	4 Extra Assistant Commissioners' 1st class.	0	0
	22 do. 3rd class	40	38
	Grand Total...	47	39
	Decrease..		8

Showing a decrease of 8 pending for the whole Division.

27. In the Divisional Court no cases were pending at the close of both years, there were also none pending in the Courts of Tavoy and Mergui Districts.

AMHERST.

28. In the Courts of Amherst District 28 Miscellaneous cases were pending showing a decrease of 16 when compared with the previous year which is satisfactory.

SHWE-GYEEN.

29. In this District there were 11 Miscellaneous cases pending at the close of the year or 8 more than the previous year This increase was in the Courts of the Extra Assistant Commissioners 3rd Class but calls for no particular remarks.

30 The following Statement shews the number of Miscellaneous cases instituted and disposed of during the years 1868-69, as also the number of cases of above one year standing at the end of those years respectively :—

Districts and Division.	Designation.	1868. Instituted.	Decided on their merits	Finally disposed of.	Pending above one year	1869. Instituted.	Decided on their merits	Finally disposed of.	Pending above one year
	Commissioner's Court ...	77	61	77	„	61	57	61	„
Amherst.	1 Depy: Commissioners' Court	445	371	443	„	430	386	432	„
	3 Assistant Commrs': Courts	30	14	28	„	26	19	28	„
	1 Extra Assistant Commissioner 1st Class.	427	272	404	„	506	452	518	„
	11 Do. 3rd Class.								
	Total ...	902	657	875	„	962	857	978	„
Tavoy.	1 Depy: Commissioner's Court	42	35	42	„	18	16	18	„
	1 Extra Assistant Commissioner 2nd Class.	97	92	97	„	131	115	131	„
	3. Do. 3rd Class.	58	56	58	„	59	49	59	„
	Total ...	197	183	197	„	208	180	208	„
Mergui.	1 Depy: Commissioner's Court.	197	141	197	„	254	190	254	„
	1 Extra Assistant Commissioner 2nd Class.	475	441	475	„	427	415	427	„
	3 Do. 3rd Class.	126	125	126	„	101	101	101	„
	Total ...	798	707	798	„	782	706	782	„
Shwe-Gyeen.	1 Depy: Commissioner's Court	18	14	18	„	11	8	11	„
	2 Asst: Commrs': Courts.	12	8	10	„	1	2	3	„
	1 Extra Assistant Commissioner 2nd Class.	19	10	19	„	106	88	106	„
	5 Do. 3rd Class.	189	151	188	„	166	142	156	„
	Total ...	238	183	235	„	284	240	276	„
	ABSTRACT.								
Tenasserim Division.	Commissioner's Court ...	77	61	77	„	61	57	61	„
	4 Depy: Commissioners' Courts	702	561	700	„	713	600	715	„
	5 Assistant Commrs': Courts	42	22	38	„	27	21	31	„
	4 Extra Assistant Commissioner 1st and 2nd Class.	591	543	591	„	664	618	664	„
	22 Do. 3rd Class.	800	604	776	„	832	744	834	„
	Grand Total .	2212	1791	2182	„	2297	2040	2305	„
	Increase ...					85	249	123	„

Showing on the whole an increase of 85 "instituted" 249 "disposed of on their merits" and 123 "finally disposed of". There were no cases pending for more than a year in any of the Courts of this Division.

AMHERST.

31. The detail of Miscellaneous business in the Courts of this District was as follows :—

Out of 978 cases "finally disposed of" 432 were in the Court of the Deputy Commissioner and by far the largest number of these were applications for execution of Decrees transferred from the Court of the Recorder and claims to property attached; they include however one application under Act XIX of 1841, and 14 under Act XXVII of 1860. Of the 432 only 386 came to trial, of which 358 were decided in favor of Plaintiff or nearly 93 per cent.

Before the Courts of Assistant Commissioners' there were 28 cases of which 19 came to trial and were all decided in favor of Plaintiff; of 452 cases tried before the Courts of Extra Assistant Commissioners 340 or nearly 76 per cent were decided in favor of Plaintiff,

TAVOY.

32. The return for this District exhibit an increase of 11 cases instituted and a decrease of 3 cases in the number disposed of on their merits and of 11 cases in the number finally disposed of.

MERGUI.

33. In this District there was a decrease in the number of institutions of 16 Miscellaneous cases and a like decrease in the number finally disposed of. Of the number "disposed of on their merits" there was a decrease of only one case.

SHWE-GYEEN.

34. In Shwe-Gyeen District there was an increase under all the heads *viz.*, 46 in the number of cases "instituted," 67 "disposed of on their merits" and 41 "finally disposed of." No cases were pending over a year in the Courts of this District,

35. Lieutenant Colonel E. M. Ryan, was the Commissioner of the Tenasserim Division throughout the year,

36. The result of Regular and Second Appeals disposed of by the Divisional Commissioner during the past year and the number preferred in it from the Deputy Commissioners is given below :—

Districts.	Name and Official Designation.	Regular Appeals.					Second Appeals.					
		For trial in 1868	No. Confirmed.	No. reversed or modified.	Rejected.	Struck off in default.	Pending	For trial in 1869.	No. Confirmed.	No. reversed or modified.	Rejected.	Struck off in default.	Pending.
Amherst.	Major A. G. Duff Depy: Comr:	0	0	0	0	0	0	9	7	1	1	0	0
Tavoy.	Lt: Col: G.Faithfull.	0	0	0	0	0	0	7	1	2	2	1	1
Mergui.	Mr. T. Shepherd.	0	0	0	0	0	0	2	0	1	0	1	0
Shwè Gyeen.	Capt C. E. Watson	0	0	0	0	0	0	10	4	3	2	1	0
	Total...	0	0	0	0	0	0	28	12	7	5	3	1

37. From the foregoing return it will be observed that there were no Regular Appeals preferred in the Court of the Commissioner during the year under review, there was only one in 1868.

38. There were 28 Second Appeals preferred in the Court of the Divisional Commissioner from the Appeal decisions passed by the Deputy Commissioners. Of these 5 were rejected, in 12 the Lower Appellate Court's decree was confirmed, but in 7 cases the decree of the Lower Appellate Court was reversed or modified, and 3 were otherwise disposed of and one was pending. On the whole the results of the 2nd Appeals as above shown is not favorable as last year.

Amherst.

39. 9 Second Appeals were also preferred to the Court of the Commissioner's from Appeal decisions of the Deputy Commissioner Amherst District, of which 1 case only was reversed or modified, in 7 the decision of the Lower Appellate Court was uphold and 1 rejected ; these figures speak well for Major Duff the Deputy Commissioner.

TAVOY.

40. Out of 7 cases brought before the Commissioner in Second Appeal, 2 were reversed or modified, 1 confirmed, 2 rejected, being not appealable to this Court, 1 struck off in default and 1 pending at the close of the year.

MERGUI.

41. From the Appeal decrees of the Deputy Commissioner of this District, there were only 2 Second Appeals filed in the Divisional Court, of which one was reversed or modified and one struck off in default.

SHWE-GYEEN.

42. There were ten Second Appeals, against 6 last year, from the orders of Captain Watson, the Deputy Commissioner of this District, of these 4 were confirmed, 2 rejected, and 3 reversed or modified.

43. The following Deputy Commissioners were in charge of the several Districts in this Division during the year under review:—

AMHERST.

44. Major H. A. Browne, from 1st January to 19th February 1869.

Major A. G. Duff, from 20th February to end of the year.

TAVOY.

45. Lieutenant Colonel, G. Faithfull, the whole year.

MERGUI.

46. Mr. T. Shepherd, throughout the year.

SHWE-GYEEN.

47. Captain C. E. Watson, from 1st January to 6th December 1869.

Mr. J. C. Davis, from 7th to 31st December 1869.

48. The subjoined Statement shows the number and result of Appeals decided by the above Officers during the year under review:—

COURTS OF	No. of Appeals for trial in 1869.	No. Confirmed	No. Reversed or modified.	No. Rejected.	Otherwise disposed of.	Pending.
Deputy Commissioner, Amherst.... ...	108	51	47	7	1	2
do. Tavoy	157	81	64	1	11	0
do. Mergui	33	16	17	0	0	0
do. Shwè-Gyeen	135	87	32	4	4	8
Total.....	433	235	160	12	16	10

AMHERST.

49. It will be observed from the foregoing table that in this District there were for trial 108 Appeals out of which 7 were rejected, one was compromised or settled out of Court. 2 were pending; thus 68 only were tried on their merits, of these 51 were confirmed or decided in favor of Respondent, and 47 reversed or modified or decided in favor of Appellant.

TAVOY.

50. There were 157 Appeals for disposal by the Deputy Commissioner of this District during the year, 81 of which were confirmed or decided in favor of Respondent, 64 reversed or modified or decided in favor of Appellant, one rejected and 11 otherwise disposed of.

MERGUI.

51. The Deputy Commissioner of this District decided 33 Appeal cases on trial, of which 16 or 48·4 per cent were in favor of Respondent, and 17 or 51·5 per cent in favor of Appellant. The result is not satisfactory.

SHWE-GYEEN.

52. Of 135 Appeals before the Deputy Commissioner of Shwè-Gyeen, 4 were rejected, 32 decided in favor of Appellant, in 87 the decree was for the Respondent the decision of the Lower Court being upheld, 4 otherwise disposed of and 8 remained pending at the close of the year. The result is very creditable for the Lower Courts of this District—Major Duff, the Deputy Commissioner of the Amherst District, is a very able Judge. His decisions in Civil cases are most satisfactory.

Captain Watson who has left the Commission was also a most valuable Officer, it is to be regretted that his services are now lost.

53. The Assistant and Extra Assistant Commissioners in charge of sub-divisions were as follows:—

AMHERST.

Head Quarters, Maulmain.

54. Mr. G. E. Barr, Assistant Commissioner 2nd Class, from 1st January to 29th October 1869.

Lieutenant J. Butler, from 29th October to end of the year.

Amherst Sub-division.

55. Captain G. E. Fryer, Assistant Commissioner 2nd Class, throughout the year.

Martaban Sub-division.

56. Mr. C. J. F. S. Forbes, from 1st January to 6th July 1869.

Lieutenant St. John, from 6th July to end of the year.

Kawkarit Sub-division.

57. Moung Byaw, Extra Assistant Commissioner 1st Class, the whole year.

TAVOY.

58. Moung Shwè-Kyee, Extra Assistant Commissioner 2nd Class, for the whole year.

MERGUI.

59. Moung Shwè-Bo, Extra Assistant Commissioner 2nd Class, for the whole year.

SHWE-GYEEN.

Yoonzaleen Sub-division.

60. Mr. H. Buckle, Assistant Commissioner 2nd Class, from 1st January to 12th July 1869.

Mr. A. Hough, Assistant Commissioner 2nd Class, from 13th July 1869 to end of year.

Sittoung Sub-division.

61. Mr. A. Hough, Assistant Commissioner from 1st January to 12th July 1869.

Mr. H. Buckle, Assistant Commissioner, from 13th July to end of the year.

Moung Shwè Nyaing, Extra Assistant Commissioner 2nd Class, for the whole year.

62. The following Statement exhibits the total number of Suits disposed of by the above Judicial Officers, the number of Appeals preferred from their decision and the result obtained in appeals decided during the year 1869:—

Courts	Original Cases disposed of in 1869	Appeals					
		Appeals preferred.	No. Confirmed.	No. Reversed or modified.	Rejected.	Otherwise disposed of	Pending
Amherst District.							
Assistant Commissioner, Maulmain ...	10	4	4	0	0	0	0
do. Martaban Sub-division	8	0	0	0	0	0	0
do. Amherst do	1	1	0	1	0	0	0
Extra do. Kaukarit do.	4	1	1	0	0	0	0
Total ..	23	6	5	1	0	0	0
Extra Asst Commissioner 2nd Class, Tavoy	275	77	35	32	0	10	0
Extra Asst. Commissioner 2nd Class, Mergui	529	32	16	16	0	0	0
Shwe-Gheen District.							
Assistant Commissioner, Yoonzaleen do. Sittang ..	11	1	1	0	0	0	0
Extra Asst. Commissioner, Shwe-gyeen Town	329	36	28	5	2	0	1
Total	340	37	29	5	2	0	1
Grand Total	1167	152	85	54	2	10	1

Amherst.

63. Out of 10 cases decided in the Court of Assistant Commissioner Maulmain, 4 were appealed in all of which the judgment of the Lower Court was upheld or confirmed. The Assistant Commissioner of Martaban sub-division disposed of 8 cases on trial against which no Appeals had been prefer-

red up to the close of the year. There was only one Appeal from the Assistant Commissioner Amherst sub-division in which the decree of the Lower Court was modified. The Extra Assistant Commissioner of Kaukarit decided only 4 cases on trial during the year, of which only one was appealed and that one was confirmed. The Deputy Commissioner in his Report states:—"The Civil duties performed by the Eu-"ropean subordinates are extremely light and call for no fur-"ther remarks than that they have been throughout satisfac-"torily performed."

TAVOY.

64. Moung Shwè Kyee was Extra Assistant Commissioner 2nd Class of Tavoy. He decided 275 Original cases on trial, of which 77 were appealed; of these 35 were confirmed, 32 reversed and 10 otherwise disposed of. The result is not good. This Officer is about to retire on a pension after a very creditable service of 34 years.

MERGUI.

65. Extra Assistant Commissioner Moung Shwè Bo has disposed of 529 cases; there were 32 Appeals from his orders for trial during the year of which 16 were confirmed or decided in favor of Respondent and 16 reversed or modified. The result of Appeals is not satisfactory.

SHWE-GYEEN.

66. The two Assistant Commissioners in this District decided only 11 Original cases on trial, of which only one was appealed and that was confirmed.

Moung Shwè Nyaing, Extra Assistant Commissioner 2nd Class, disposed of 329 cases on trial; of them 36 were appealed, in 28 of which his orders were confirmed, 5 reversed or modified and 2 rejected, a result very creditable to that Officer.

67. The following table shows the number of Original cases disposed of by the Extra Assistant Commissioners 3rd Class, of each Township in the several Districts, the number of Appeals preferred from their decisions and the result of the Appeals disposed of in 1869:—

Districts.	Designation.	Number of Township.	Number of Cases disposed of.	Appeals.					
				No. of Appeals preferred.	No. confirmed.	No. Reversed or modified.	Rejected.	Otherwise disposed of.	Pending.
Amherst	Ex: Asst Comr: 3rd Class ..	Zeah	155	30	17	9	2	1	1
	do.	Beloogyoon ..	200	30	10	1	1	0	1
	do.	Gyne Attaran	26	4	2	2	0	0	0
	do.	Gyne Salween...	41	3	1	1	1	0	0
	do.	Hline Bwai .	47	1	0	1	0	0	0
	do.	Houn Draw ...	65	1	1	0	0	0	0
	do.	Amherst ...	67	7	2	5	0	0	0
	do.	Yea Lamyne ...	58	2	2	0	0	0	0
	do.	Martaban ...	151	20	10	8	2	0	0
	do.	Thatone ..	75	0	0	0	0	0	0
	do.	Phagat ...	20	4	1	2	1	0	0
		Total. .	905	102	46	46	7	1	2
Tavoy.	Ex: Asst: Comr: 3rd Class ...	N. E. Division...	80	35	21	13	1	0	0
	do.	S. E. Division. .	124	31	19	12	0	0	0
	do.	Western do.	52	14	6	7	0	1	0
		Total...	256	80	46	32	1	1	0
Mergui.	Ex: Asst Comr: 3rd Class ...	Palaw ...	65	1	0	1	0	0	0
	do.	Tenasserim ...	40	0	0	0	0	0	0
	do.	Lenya	17	0	0	0	0	0	0
		Total...	122	1	0	1	0	0	0
Shwe-gyeen.	Ex: Asst Comr: 3rd Class . .	Kyouk Kyee ...	98	17	10	7	0	0	0
	do.	Shwè Gyeen ...	129	23	16	6	0	0	1
	do.	Sittang ...	176	18	8	8	1	1	0
	do.	Beeling, Kykehto	225	38	23	5	1	3	6
	do.	Younzaleen ...	30	2	1	1	0	0	0
		Total ...	658	98	58	27	2	4	7
		Grand Total.	1941	281	150	106	10	6	9

68. The foregoing Statement shows that there were 22 Myookes or Extra Assistant Commissioners of 3rd Class in charge of several Townships in this Division. They disposed of during the year 1941 cases or 144 less than last year. From their decisions there were 281 Appeals or a decrease of 47 preferred, in 106 of which their orders were reversed or modified, 160 confirmed including rejected cases, 6 otherwise disposed of and 9 pending at the close of the year. The result on the whole appears satisfactory.

69. The Deputy Commissioner of Amherst District makes the following remarks on the Native subordinates under him:—

"As regards the Native subordinates much cannot be said, "but it is satisfactory that one of the most incompetent has "already been pensioned and perhaps the most incompetent "is about to be; so long however as we have half educa- "ted men in these appointments with unintelligible trans- "lations of complicated and to them in a great measure unin- "telligible Codes to guide them no favorable result is to be "looked for."

69½. With regard to this remark it may be here stated, that these Extra Assistants were appointed in former days for political reasons and more as a reward for long service than any particular fitness for the office of a Civil Judge, now they have to pass examination on appointment, and if the rule is rigidly enforced in rejecting those that fail to pass, we may hope in time to obtain more competent men than the present Native Civil Judges.

70. As regards the Native Officers in Tavoy District Lieutenant Colonel Faithfull mentions as follows:—

"North Eastern Myooke, Moung Shwe Go, and S. E. "Myooke Moung Hlaw, are about to be pensioned after 30 and "33 years service respectively, well and creditably performed. "Western Myooke, Moung Shwe Att, is a man of superior in- "telligence and education who hopes to succeed to be Tseetkay "shortly for which he is well qualified".

71. The Deputy Commissioner of Mergui states:—"The "Officers have conducted the duties of their several Courts "with fairness and to the utmost of their abilities." The Extra Assistant Commissioner of Palaw, Moung Shwe Go, died in December last and Moung Tha Noh has been appointed to officiate in his place.

72. Mr. Davis the Officiating Deputy Commissioner of Shwè-Gyeen having been recently appointed, makes no mention as to the Judicial qualifications of the subordinate Officers under him.

73. There were no Suits instituted by or against Government in any of the Courts in this Division during the year under review.

74. The average duration of Suits in all the Districts of this Division was as follows:—

Courts.	Appeals.		Original Suits.		Miscellaneous cases.	
	Months.	Days.	Months.	Days.	Months.	Days.
Commissioner, Tenasserim Division	0	25	0	0	0	0
Deputy Commissioner, Amherst	0	6	0	0	0	5
do. Tavoy	0	20	0	0	0	1
do. Mergui	0	14	0	13	0	1
do. Shwè-Gyeen ...	0	8	0	8	0	3
Assistant Commissioner, Maulmain	0	0	0	10	0	1
do. Amherst	0	0	0	11	0	0
do. Thatone	0	0	0	3	0	5
do. Yoonzaleen... ...	0	0	0	5	0	2
do. Sittang						
Extra Asst: Commissioner, 2nd Class, Tavoy.	0	0	0	20	0	1
do. Mergui	0	0	0	6	0	1
do. Shwè-Gyeen ...	0	0	0	5	0	4
Ex: Asst: Comr: 1st and 3rd Classes, Amherst	0	0	0	26	0	12
do. Tavoy	0	0	0	19	0	1
do. Mergui	0	0	0	6	0	1
do. Shwè-Gyeen ...	0	0	0	5	0	3

75. Appeals heard in the Divisional Court must of necessity be of longer duration than in the other Courts of this Division owing to the distance from which Appeals come from the outlying Districts and the time it takes to serve the parties with notice of the day fixed for hearing.

Amherst.

76. The average duration of Appeals before the Deputy Commissioner of this District has been reduced from 8 days in 1868 to 6 days in 1869, and the oldest case on the file at the close of the year was an Appeal admitted on the 20th December four days before the Court closed for the Christmas holidays.

77. In the Courts of Assistant Commissioners Amherst District, the general average duration of Original Suits was 18 days in 1868, and 8 days in 1869; before the Courts of the Extra Assistant Commissioners it has increased from 25 days in 1868 to 26 days in 1869—the oldest pending case has been on the file for 3 months and 25 days in 1869, against 17 months and 24 days in 1868, a very marked improvement.

78. The average duration of Miscellaneous cases before the Deputy Commissioner was 5 days against 6 in 1868. Before Assistant Commissioners the general average of these cases was 3 days, the same as in 1868; and before the Extra Assistant Commissioners the average was 12 days in 1869 against 15 in 1868.

79. Major Duff in his Report states:—"As regards the "administration of justice there is a decided improvement— "Cases are throughout more speedily disposed of and in no "Court throughout the District is there a single case that "has been pending a quarter of a year."

Tavoy.

80. The average duration of cases in the District, was 20 days in the Court of the Deputy Commissioner during the year, against 1 month 22 days in 1868, giving a decrease of 32 days, a very favorable improvement. In the Extra Assistant Commissioner's Court 2nd Class, the duration of Original Suits was 20 days which is 6 days in excess of the duration in 1868; and in the Myookes' Courts the average was 19 days to 9 in 1868. In Miscellaneous cases the average duration was only one day in all the Courts for both years.

Mergui.

81. The average duration of Suits was 14 days in the Deputy Commissioner's Court, 6 days in Tseetkay's Court, and 6 days in the Myookes' Courts; in the previous year the number were 12, 6, 5 respectively, a slight difference which requires no explanation. The duration of Miscellaneous cases in the several Courts of this District was only one day, the same as last year.

Shwe-Gyeen.

82. The average duration of Appeals and Original Suits in the Shwè-Gyeen Deputy Commissioner's Court was the same under both heads *viz.*, 8 days, being an increase of 1

day in the former and 7 in the latter; and in Miscellaneous cases the average was 3 days to 2 in 1868. In the Assistant Commissioners' Courts the average duration was 5 days in Original Suits and 2 days in Miscellaneous; and in the Extra Assistant Commissioners' Courts the duration was 5 days in Original and 3 days in Miscellaneous Suits.

83. The following table exhibits the total value of property litigated in all Suits with the value of Stamps and costs thereon during the years 1868 and 1869 :—

Description of Case.	1868.			1869.		
Value of Appeals instituted	48,762	14	3	48 947	5	9
„ Original Suits	175,933	12	6	164,624	11	3
„ Miscellaneous Cases	12,919	5	0	21,610	1	6
Total	237,615	15	9	235,182	2	6
Decrease	.....			2,433	13	3
The value of Stamps amounted to						
For Appeals Instituted	4,288	13	0	1,778	14	0
„ Original Suits	18,350	10	0	18,667	9	0
„ Miscellaneous Cases	1,776	2	0	1,876	6	0
Total	21,515	9	0	25,322	13	0
Increase	... ...			807	4	0
Costs of every description including Stamps						
For Appeals Instituted ...	5,766	10	4	6,172	14	1
„ Original Suits	30,376	7	0	31,589	7	5
„ Miscellaneous Cases ...	3,561	8	0	4,734	9	3
Total ...	39,701	9	4	42,496	11	9
Increase		...		2,792	5	5

showing a decrease on the whole of Rupees 2,433-13-3 in the value of all Suits instituted during the year; the value of Stamps and costs of every description have increased, the former by Rupees 807-4 and the latter by Rupees 2,792-5-5. The percentage of costs of every description to the value of all Suits instituted, averaged 18 per cent against 16 per cent in 1868. The average value of all Suits was Rupees 10

84 The Deputy Commissioners have reported that the new Stamp Act has had no effect on Civil litigation and as remarked in last year's Divisional report it has worked satisfactorily and appears to be thoroughly understood.

Stamp Act No XXVI of 1867

85. As directed by the Chief Commissioner in his office letter No. 20/3 of 15th January 1870, Home Department, the following supplementary table is given showing the total value of Suits decided, and the value of Stamps and other costs instituted in all the Courts of this Division during the year 1869:—

Value of Suits decided and value of Stamps and costs in Suits instituted

Description of Suits	Total value of Suits decided during the year whenever instituted.			Value of Stamps on Suits instituted during the year whether decided or not.			Value of all other costs except Stamps on Suits instituted during the year whether decided or not.			Total value of costs on Suits instituted during the year whether decided or not		
Appeals ..	47,944	12	5	4,778	14	0	1,394	0	1	6,172	14	1
Original Suits ...	163,361	3	3	18,667	9	0	12,921	14	5	31,589	7	5
Miscellaneous Cases .	21,610	1	6	1,876	6	0	2,858	3	3	4,734	9	3
Total ..	232,916	1	2	25,322	18	0	17,174	1	9	42,496	14	9

86. As compared, with previous year the total value of Stamps on Suits instituted have increased from Rupees 24,515-9 to Rupees 25,322-13 and the value of all other costs from Rupees 15,189-0-4 to Rupees 17,174-1-9 The total value of Suits decided in 1869 was Rupees 2,32,916-1-2.

87. The table given below shows the number of applications for execution of Decrees for each District during the year under review:—

Execution of Decrees

Districts.	Number of applications for Execution.
Amherst ...	360
Tavoy	154
Mergui	98
Shwè-Gyeen ...	223
Total	835

AMHERST.

88. In the Deputy Commissioner's Court of this District execution was had on 30 persons by arrest, of these however 22 came to terms with the Judgment creditors and only eight were actually imprisoned under the Decrees against them. Execution was similarly had by attachment of property against 24 persons whose Moveable property realized Rupees 1,468 and the Immoveable property Rupees 356, all the cases were based on Decrees transferred by the Recorder of Maulmain.

89. Before the Assistant and Extra Assistant Commissioners execution was taken out in 287 cases, but the Returns do not show the results. Four persons only however were imprisoned under Decrees from these Courts. In 1868, the number of execution taken out in these Courts were 261 but execution was had by imprisonment in 7 cases.

TAVOY.

90. In this District the Deputy Commissioner reports that execution of Decrees was taken out in 154 cases which were adjusted as follows:—

In 30 cases the amount decreed was paid at once.
„ 26 „ Property was attached and sold.
„ 18 „ Persons were confined in Gaol.
„ 50 „ Warrants were withdrawn.
„ 30 „ Warrants could not be executed.

The longest period during which any person was confined in the Civil Gaol was 4 months and 21 days.

MERGUI.

91. In Mergui District the Deputy Commissioner states that 98 Decrees have been executed during the year 1869, the result is not given in the Returns.

SHWE-GYEEN.

92. Of 617 Decrees passed in the Courts of this District execution was made in 223 cases, the Deputy Commissioner states that there were only six imprisonments for debt which step is very rarely resorted to.

Amherst District.

93. The number of Deeds registered in the Assistant Commissioner's Court, Maulmain, during the past two years was as follows:—

Registration of Deeds

	1868.	1869.
Registry of Wills...	8	6
General Register	113	116
Temporary Conveyance ...	15	10
Permanent Conveyance ...	346	285
Total...	477	417

showing a decrease of 60 Deeds. There were no Deeds registered in the Registry Offices of the Assistant Commissioners at Thatone and Amherst.

Tavoy.

94. The number of Deeds registered in the Deputy Commissioner's Office, Tavoy, during the years 1868 and 1869 is given below:—

	1868.	1869.
Registry of Wills...	0	1
General Register	1	0
Temporary Conveyance ...	1	4
Permanent Conveyance ...	1	11
Total...	3	16

95. The value of property registered was:—

For	1868	6,100 Rupees.
„	1869	10,163 „
Increase...		4,063

Mergui.

96. There were only 2 Deeds registered in the Deputy Commissioner's Office at Mergui during the year and none in previous year.

Shwe-Gyeen.

97. There were only 3 documents registered throughout the year against 5 in the preceding year.

ARBITRATION.

98. In the Amherst and Mergui Districts there were no cases referred to arbitration during the year. There was only one case in Tavoy. In Shwè-Gyeen District there were 41 cases of arbitration against 56 in the year 1868, showing a decrease of 15 cases. Arbitration is not much sought for by the Burmese as they much prefer a clear decision by the Civil Courts than the ambiguous judgments of Arbitrators, the principal cases that are settled by arbitration are disputes regarding Inheritance which are decided by the Laws of Meenoo. No doubt also the numerous Pleaders are an obstacle in the way of arbitration as it interferes too much with their own profits to advise their clients to submit their disputes to arbitration.

Examination of Books and Registers.

99. During the year the Books and Registers of the several District Courts have been inspected by the Officiating Commissioner on the dates specified below :—

Amherst	Deputy Commissioner's Court,	29th	November 1869.
Tavoy	do.	11th	do.
Mergui	do.	13th	do.
Shwè-Gyeen	do.	23rd	August 1869.

100. The Books are all properly kept and brought up to date.

GENERAL REMARKS.

101. In conclusion I would remark that the Civil Courts generally throughout this Division have worked well during the year of review and there is a decided improvement in the working of the Courts of the Extra Assistant Commissioners.

APPENDIX.

No. 1

STATEMENT of SUITS of every description instituted, disposed of and pending before all the Courts European and Native, in the Division of Arakan during the year 1869.

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
Courts.	No. of Cases pending at the close of the last year.				No. of Cases instituted during the year.				No. of Cases disposed of during the year.				No. of Cases pending at the close of the year.			
	Appeals.	Original Suits.	Miscel. Cases.	Total.	Appeals.	Original Suits.	Miscellaneous Cases.	Total.	Appeals.	Original Suits.	Miscellaneous Cases.	Total.	Appeals.	Original Suits.	Miscellaneous Cases.	Total.
Commissioner's Court	0	0	0	0	8	0	8	16	7	0	8	15	1	0	0	1
Akyab District.																
Deputy Commissioner's Court	10	0	5	15	123	5	85	213	110	5	86	201	23	0	4	27
Assistant Commissioner's Court	0	0	0	0	0	37	32	69	0	34	30	64	0	3	2	5
Naaf Extra Asst: Commr's: Court 1st Class ...	0	2	0	2	0	250	147	397	0	252	147	399	0	0	0	0
Akyab Extra Asst: Commr's: Court 2nd Class ...	0	17	9	26	0	1085	1434	2519	0	1076	1425	2501	0	26	18	44
Myohoung Extra Asst: Commr's: Court 3rd Class.	0	2	0	2	0	260	120	380	0	262	120	382	0	0	0	0
Raithaidoung Extra Asst: Commr's: Court 3rd Class	0	11	8	19	0	177	64	241	0	188	70	258	0	0	2	2
Kyai Let Extra Asst: Commr's: Court 3rd Class.	0	4	1	5	0	444	244	688	0	448	236	684	0	0	9	9
Ming bya ... do. 3rd Class ...	0	0	0	0	0	158	48	206	0	158	48	206	0	0	0	0
Ooyittoung East do. 3rd Class ...	0	0	0	0	0	135	38	173	0	130	38	168	0	5	0	5
Ooyittoung West do. 3rd Class ...	0	0	0	0	0	104	23	127	0	104	23	127	0	0	0	0
Koladan ... ... do. 3rd Class ...	0	1	1	2	0	95	11	106	0	96	12	108	0	0	0	0
Total ...	10	37	24	71	123	2750	2246	5119	110	2753	2235	5908	23	34	35	92

Ramree District.																	
Deputy Commissioner's Court	0	0	1	1	22	1	19	42	21	1	20	42	1	0	0	1
Kyouk Phyoo Ex: Asst: Commr's: Court 1st Class	0	0	0	0	0	181	127	308	0	181	127	308	0	0	0	0
Ramree ... ... do. ... 3rd Class	0	0	0	0	0	99	27	126	0	99	27	126	0	0	0	0
Aeng ... ... do. ... 3rd Class	0	0	0	0	0	231	138	369	0	231	138	369	0	0	0	0
Cheduba ... ... do. ... 3rd Class	0	0	0	0	0	112	69	181	0	112	69	181	0	0	0	0
Total ...	0	0	1	1	22	624	380	1026	21	624	381	1026	1	0	0	1
Sandoway District.																	
Deputy Commissioner's Court	0	0	0	0	45	0	10	55	40	0	10	50	5	0	0	5
Sandoway Ex : Asst: Commr's : Court 2nd Class	0	1	2	3	0	199	167	366	0	198	169	367	0	2	0	2
Northern Division ... do. ... 3rd Class	0	0	0	0	0	117	34	151	0	117	34	151	0	0	0	0
Southern Division ... do. ... 3rd Class	0	0	0	0	0	77	19	96	0	77	19	96	0	0	0	0
Total ...	0	1	2	3	45	393	230	668	40	392	232	664	5	2	0	7
Northern Arakan.																	
Superintendent's Court	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Assistant Superintendent's Court...	0	0	0	0	0	15	0	15	0	15	0	15	0	0	0	0
Total ...	0	0	0	0	0	15		15	0	15	0	15	0	0	0	0
Grand Total ...	10	38	27	75	198	3782	2864	6844	178	3784	2856	6818	30	36	35	101

AKYAB,
The 7th April 1870.

J. F. J. STEVENSON,
Commissioner of Arakan.

No.

CLASSIFICATION of APPEALS and ORIGINAL SUITS instituted

	Appeals.						Original									
																Ak-
	Before Commissioner.	Deputy Commissioner-Akyab.	Deputy Commissioner-Ramree.	Deputy Commissioner-Sandoway.	Supt. of Hill Tribes.—N. Arakan.	Total.	Commissioner.	Deputy Commissioner.	Akyab-Assistant Commr.	Naaf-Ex. Asst. Comr. 1st class.	Akyab- Do. 2nd class.	Myohoung- Do. 3rd class.	Rathaidoung- Do. 3rd class.	Kyai Let- Do. 3rd class.	Minbya- Do. 3rd class.	
I. Suits connected with Immoveable property.																
1. House... ...	1	0	1	1	0	3	0	0	0	0	2	0	0	0	0	
2. Land...	0	31	3	11	0	45	0	0	0	27	10	4	6	9	14	
3. Mortgages ...	0	0	0	1	0	1	0	0	0	0	3	0	0	0	0	
4. Fisheries ...	0	0	1	0	0	1	0	0	0	0	0	0	0	0	1	
5. Inheritance ...	1	0	0	0	0	1	0	0	0	0	2	1	1	1	0	
6. Other cases ...	0	0	0	0	0	0	0	0	0	38	34	0	0	0	0	
Total.....	2	31	5	13	0	51	0	0	0	65	51	5	7	10	15	
II. Suits not connected with Immoveable property.																
1. Debt	0	45	4	6	0	55	0	0	14	44	852	44	45	164	31	
2. Damages for breach of contract or loss or injury to property.	0	0	6	2	0	8	0	1	1	61	43	2	57	5	10	
3. Damages for personal injuries and wrongs, ..	0	3	0	4	0	7	0	0	0	2	8	2	0	3	7	
4. Marriage or Divorce. ...	1	2	0	3	0	6	0	0	0	5	20	17	7	3	8	
5. Inheritance, . .	0	8	0	2	0	10	0	0	2	1	4	3	1	4	1	
6. Other cases. ...	5	34	7	15	0	61	0	4	10	72	107	187	60	255	86	
Total ...	6	92	17	32	0	147	0	5	73	185	1034	255	170	434	143	
Grand Total ..	8	123	22	45	0	198	0	5	73	250	1085	260	177	444	158	

AKYAB,
The 7th April 1870

II.

before all the Courts of the Division of Arakan during the year 1869.

SUITS.

yab.				Ramree.						Sandoway.					North Arakan			
Ooyittoung East Do. 3rd class.	Ooyittoung West Do. 3rd class.	Koladan Do. 3rd class.	Total.	Deputy Commissioner.	Kyouk-Phyoo Ex. Asst Comr 2nd class	Ramree, Do. 3rd class.	Aeng, Do. 3rd class.	Chedubu, Do. 3rd class.	Total.	Deputy Commissioner.	Sandoway, Ex. Asst. Commr. 2nd class.	Northern, Do. 3rd class.	Southern, Do. 3rd class.	Total.	Supt. of Hill Tribes, N. Arakan.	Assistant Superintendent.	Total.	Grand Total.
1	0	0	3	0	0	0	3	0	3	0	1	0	0	1	0	0	0	7
1	4	7	82	0	8	0	15	0	23	0	10	6	6	22	0	0	0	127
0	0	0	3	0	2	4	1	7	14	0	8	0	0	8	0	0	0	25
0	0	0	1	0	1	3	0	1	5	0	0	0	0	0	0	0	0	6
0	1	1	7	1	3	1	7	0	12	0	1	2	1	4	0	0	0	23
0	0	0	72	0	1	2	4	0	7	0	0	0	0	0	0	0	0	79
2	5	8	168	1	15	10	30	8	61	0	20	8	7	35	0	0	0	267
43	17	56	1310	0	88	32	66	35	221	0	79	25	26	130	0	8	8	1669
5	0	0	185	0	5	16	6	1	28	0	2	0	6	8	0	4	4	225
3	2	0	27	0	4	1	9	3	17	0	6	2	12	20	0	0	0	64
8	0	5	73	0	15	4	4	3	26	0	8	10	6	24	0	2	2	125
6	6	2	40	0	1	4	2	0	7	0	1	2	3	6	0	0	0	53
68	74	24	947	0	53	32	114	62	261	0	83	70	17	170	0	1	1	1379
133	99	87	2582	0	166	89	201	104	560	0	179	109	70	358	0	15	15	3515
135	101	95	2750	1	181	99	231	112	624	0	199	117	77	393	0	15	15	3782

J. F. J. STEVENSON,
Commissioner of Arakan.

No. III.

DETAIL of SUITS disposed of by all the Courts in the Division of Arakan during the year 1869.

Description of Suits.		Rejected.	Decided on trial.		Decreed Ex-parte.	Compromised.	Withdrawn or dismissed in default.	Transferred.	Total.
			In favor of Plaintiff or Appellant.	In favor of Defendant or Respondent.					
APPEALS.	Commissioner's Court	1	3	3	0	0	0	0	7
	Akyab District.								
	Deputy Commissioner's Court	7	48	51	0	1	3	0	110
	Ramree District.								
	Deputy Commissioner's Court	0	5	16	0	0	0	0	21
	Sandoway District.								
	Deputy Commissioner's Court	5	11	23	0	0	1	0	40
	Northern Arakan.								
	Hill Tribes Superintendent's Court	0	0	.0	0	0	0	0	0
	Total ...	13	67	93	0	1	4	0	178

Akyab District.									
Deputy Commissioner's Court...	0	5	0	0	0	0	0	5
Akyab Asst. Comr's. Court	0	20	7	0	7	0	0	34
Naaf Extra do. do. 1st Class. ...	10	122	24	14	47	35	0	252
Akyab do. do. 2nd „ ...	2	472	148	186	162	106	0	1076
Myohoung do. do. 3rd „ ...	5	93	47	8	34	75	0	262
Rathaidoung do. do. 3rd „ ...	1	76	9	17	29	56	0	188
Kyai Let do. do. 3rd „ ...	1	168	31	75	15	158	0	448
Mengbra do. do. 3rd „ ...	0	67	7	6	10	68	0	158
Ooyittoung East do. 3rd „ ...	5	39	12	13	25	36	0	130
Ooyittoung West do. 3rd „ ...	0	35	13	5	12	39	0	104
Koladan do. 3rd „ ...	1	31	9	0	22	33	0	96
Total ...	25	1128	307	324	363	606	0	2753
Ramree District.								
Deputy Commissioner's Court...	0	0	0	1	0	0	0	1
Kyouk Phyoo Ex. Asst. Comr's. Court 1st Class	8	70	16	34	11	42	0	181
Ramree do. do. 3rd „	1	46	7	12	0	33	0	99
Aeng do. do. 3rd „	4	55	31	53	12	76	0	231
Cheduba do. do. 3rd „	0	42	13	14	5	38	0	112
Total ...	13	213	67	114	28	189	0	624
Sandoway District.								
Deputy Commissioner's Court...	0	0	0	0	0	0	0	0
Sandoway Extra Asst. Comr's. Court 2nd Class	0	117	30	20	15	16	0	198
Do. Northern do. 3rd „	1	58	33	9	8	8	0	117
Do. Southern do. 3rd „	0	32	8	9	12	16	0	77
Total ...	1	207	71	38	35	40	0	392

No. III.—*(Continued).*

Description of Suits.		Rejected.	Decided on trial.		Decreed Ex-parte.	Compromised.	Withdrawn or dismissed in default.	Transferred.	Total.
			In favor of Plaintiff or Appellant.	In favor of Defendant or Respondent.					
ORIGINAL.	*Northern Arakan.*								
	Superintendent's Court...	0	0	0	0	0	0	0	0
	Assistant Superintendent's Court	0	14	0	0	0	1	0	15
	Total ...	0	14	0	0	0	1	0	15
	Grand Total ...	39	1562	445	476	426	836	0	3784
MISCELLANEOUS.	Commissioner's Court	2	4	2	...	...	...	...	8
	Akyab District.								
	Deputy Commissioner's Court	5	58	18	...	2	3	...	86
	Akyab Assistant Commissioner's Court ...	6	16	4	...	1	...	3	30
	Naaf Extra Asst. Comr's. Court 1st Class ...	13	109	9	2	5	9	...	147
	Akyab do. do. 2nd do. ...	38	396	174	298	162	357	...	1425
	Myohoung do. do. 3rd do. ...	9	91	10	...	3	7	...	120
	Rathaidoung do. do. 3rd do. ...	1	55	...	...	5	9	...	70
	Kyai Let do. do. 3rd do. ...	5	148	2	...	...	81	...	236
	Mengbra do. do. 3rd do. ...	1	34	2	...	...	11	...	48
	Ooyittoung East do. 3rd do. ...	2	34	...	...	...	2	...	38
	Ooyittoung West do. 3rd do. ...	...	9	...	...	11	3	...	24
	Koladan do. 3rd do. ...	...	3	3	...	...	6	...	12
	Total ...	80	957	224	300	189	488	3	2235

Ramree District.									
Deputy Commissioner's Court...	3	13	...	...	...	4	...	20
Kyouk Phyoo Extra Assistant Commissioner's Court 1st Class	6	78	10	...	1	32	...	127
Ramree do. do. 3rd do.	1	13	3	...	...	10	...	27
Aeng do. do. do do.	...	89	...	...	...	49	...	138
Cheduba do. do. do. do	...	57	2	...	...	10	...	69
Total ...	10	250	15	...	1	105	...	381
Sandoway District.								
Deputy Commissioner's Court... ...	1	6	1	...	...	2	...	10
Sandoway Ex. Asst. Commr's Court 2nd Class	3	110	36	...	4	16	...	169
do. Northern do. do 3rd do	...	28	6	...	...	...	...	34
do. Southern do. do. do. do	...	11	6	...	1	1	...	19
Total ...	4	155	49	...	5	19	...	232
Northern Arakan.								
Superintendent's Court...	...	...	...	...	...	...	...	...
Assistant Superintendent's Court	...	...	...	...	...	...	...	...
Total ...	...	...	...	...	...	...	...	...
Grand Total ...	96	1362	288	300	195	612	3	2856

AKYAB,
The 7th April 1870

J F. J STEVENSON,
Commissioner of Arakan.

No. 1V

SUPPLEMENTARY Civil Return of the Division of Arakan during the year 1869.

Description of Suits.	2 Courts.	3 Longest period any case on the file at the close of the year 1869.		4 Average duration of Suits disposed of during the year 1869.		5 Total amount of Value of Suits instituted during the year 1869.			6 Value of Stamps in Law papers filed during the year 1869.			7 Cost of every description inclusive of Stamps and Pleader's fees incurred by parties in Suits disposed of during the year 1869.		
		M.	D.	M.	D.	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.
Appeals.	Commissioner's Court	2	8	,,	25·5	7,352	2	11	450	6	,,	633	7	,,
	Akyab District.													
	Deputy Commissioner's Court	2	5	2	6·0	20,874	9	7	1,805	8	,,	2,699	1	6
	Ramree District.													
	Deputy Commissioner's Court ...	*	*	,,	3·6	3,386	3	11	326	0	,,	703	10	1
	Sandoway District.													
	Deputy Commissioner's Court ...	*	*	,,	18·9	2,218	14	10	309	1	,,	450	4	2
	Northern Arakan.													
	Superintendent's Court	,,	,,	,,	,,	,,	,,	,,	,,	,,	,,	,,	,,	,,
	Total ...	,,	,,	,,	28·5	33,831	15	3	2,890	15	,,	4,486	6	9

* * Longest period of Appeals pending at the close of the year has not been given in the Original Returns of the Deputy Commissioners of Ramree and Sandoway.

ORIGINAL.

Akyab District.																
Deputy Commissioner's Court				,,	,,	,,	25·8	55,636	9	10	2,115	8	,,	1,871	10	7
Akyab Assistant Commissioner's Court ...				3	22	,,	17·9	45,350	,,	7	3,105	8	,,	4,503	12	8
Naaf Extra Asst: Commr's: Court 1st Class				,,	,,	,,	19·	13,866	13	5	1,515	,,	,,	2,340	12	2
Akyab	Do.	do.	2nd Class	5	28	,,	9 6	174,720	6	7	17,675	3	,,	22,220	14	9
Myohoung	Do.	do.	3rd Class	,,	,,	,,	6·5	18,479	4	2	2,059	8	,,	3,549	2	6
Rathaidoung	Do.	do.	3rd Class	,,	,,	,,	10·8	12.490	7	1	1,259	,,	,,	2,452	7	6
Kyai Let	Do.	do.	3rd Class	,,	,,	,,	7·5	16,627	15	1	1,637	12	,,	2,061	8	4
Meng Bra	Do.	do.	3rd Class	,,	,,	,,	10·2	6,540	6	3	713	8	,,	1,360	8	,,
Ooyittoung East	Do.	do.	3rd Class	,,	25	,,	28·3	9,711	15	11	982	,,	,,	1,424	1	11
Ooyittoung West	Do.	do.	3rd Class	,,	,,	,,	15·4	5,499	3	4	683	13	,,	1,340	5	,,
Koladan	Do.	do.	3rd Class	,,	,,	1	7·0	5,252	9	9	606	,,	,,	1,213	6	3
			Total ...	,,	,,	,,	11·6	364,175	12	,,	32,352	12	,,	44,338	9	8
Ramree District.																
Deputy Commissioner's Court				,,	,,	,,	7·	2,101	8	,,	162	8	,,	254	6	8
Kyouk Phyoo Extra Asst: Commr's: Court 1st Class				,,	,,	,,	18.8	23.499	1	5	1,941	,,	,,	3,384	2	5
Ramree	Do.	do.	3rd Class	,,	,,	,,	15·7	7,210	15	8	860	10	,,	1,447	,,	5
Aeng	Do.	do.	3rd Class	,,	,,	,,	13·5	12.959	1	2	1,388	4	,,	1,865	4	6
Cheduba	Do.	do.	3rd Class	,,	,,	,,	19·4	5,115	4	9	576	8	,,	735	5	,,
			Total ...	,,	,,	,,	16·9	50,885	15	,,	4,928	14	,,	7,686	3	,,
Sandoway District.																
Deputy Commissioner's Court				,,	,,	,,	,,	,,	,,	,,	,,	,,	,,	,,	,,	,,
Sandoway Ex: Asst Commr's: Court				1	15	,,	8·2	8,013	7	3	990	10	,,	1,745	9	8
do	Northern	do. ...	2nd Class	,,	,,	,,	8·5	3,816	,,	10	499	3	,,	1,018	1	3
do	Southern	do. ...	3rd Class	,,	,,	,,	13·7	2,520	6	4	324	8	,,	707	2	6
			Total ...	,,	,,	,,	9·4	14,349	14	5	1,814	5	,,	3,470	13	5

No. IV.—*Continued.*

Description of Suits	2 Courts.	3 Longest period any case on the file at the close of the year 1869.		4 Average duration of Suits disposed of during the year 1869.		5 Total amount of value of Suits instituted during the year 1869.			6 Value of Stamps in Law papers filed during the year 1869.			7 Cost of every description inclusive of Stamps & Pleader's fees incurred by parties in Suits disposed of during the year 1869.		
		M.	D.	M.	D.	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.
ORIGINAL.	*Northern Aralan.*													
	Superintendent's Court	,,	,,	,,	,,	,,	,,	,,	,,	,,	,,	,,	,,	,,
	Assistant Superintendent's Court	,,	,,	,,	5.	1,521	,,	,,	,,	,,	,,	62	12	,,
	Total ...	,,	,,	,,	5.	1,521	,,	,,	,,	,,	,,	62	12	,,
	Grand Total ...	,,	,,	,,	12 2	430,932	9	5	39,095	15	,,	55,558	6	1
MISCELLANEOUS.	Commissioner's Court	,,	,,	,,	9·6	49	8	,,	18	,,	,,	49	8	,,
	Akyab District.													
	Deputy Commissioner's Court	,,	7	,,	13·4	19,638	9	4	52	8	,,	208	2	,,
	Akyab Asst: Commr's: Court	1	19	,,	5·5	15	8	,,	15	8	,,	162	2	8
	Naaf Ex: Assistant Commr's: Court 1st Class	,,	,,	,,	5·5	64	11	,,	64	11	,,	136	2	9
	Akyab do. do. 2nd do.	1	21	,,	6·2	1,814	3	,,	1,814	3	,,	3,906	3	3
	Myohoung do. do. 3rd do.	,,	..	,,	5·2	118	10	,,	118	10	,,	223	10	,,
	Rathaidoung do. do. 3rd do.	,,	16	,,	7·	32	,,	,,	32	,,	,,	302	12	,,
	Kyai Let do. do. 3rd do.	1	8	,,	7·5	185	8	,,	185	8	,,	246	14	,,
	Mimbya do. do. 3rd do.	,,	,,	,,	5 2	24	8	,,	24	8	,,	112	,,	,,
	Ooyittoung East do. 3rd do.	,,	,,	,,	15·	19	8	,,	19	8	,,	162	4	,,
	Ooyittoung West do. 3rd do.	,,	,,	,,	14·2	39	4	,,	39	4	,,	109	1	,,
	Koladan do. do. 3rd do.	,,	,,	1	2 5	11	,,	,,	11	,,	,,	114	1	9
	Total ...	,,	,,	,,	10·6	21,963	5	4	2 377	4	,,	5,683	5	5

MISCELLANEOUS.

Ramree District.															
Deputy Commissioner's Court	,,	,,	,,	12·3	40	11	8	30	10	,,	40	11	8	
Kyouk Phyoo Ex: Asst: Commr.'s Court 1st Class	,,	,,	,,	12·5	507	13	6	153	9	,,	507	13	6	
Ramree do. do. 3rd Class	,,	,,	,,	7·5	86	15	9	31	4	,,	86	15	9	
Aeng do. do. 3rd Class	,,	,,	,,	4·8	239	4	0	100	8	,,	239	4	,,	
Cheduba do. do. 3rd Class	,,	,,	,,	5 1	117	11	8	45	14	,,	117	11	8	
Total.....	,,	,,	,,	8·4	992	8	7	362	6	,,	992	8	7	
Sandoway District.															
Deputy Commissioner's Court	,,	,,	,,	3.	22	4	,,	11	8	,,	22	4	,,	
Sandoway Ex: Asst: Commr.'s Court 2nd Class	,,	,,	,,	9.	401	5	,,	145	12	,,	401	5	,	
do. Northern do. do. 3rd Class	,,	,,	,,	12.	149	6	6	35	2	,,	449	6	6	
do. Southern do. do. 3rd Class	,,	,,	,,	10.	169	6	6	23	8	,,	169	6	6	
Total.....	,,	,,	,,	8·5	742	6	,	215	14	,,	742	6	,,	
Northern Arakan.															
Superintendent's Court	,,	,,	,,	,,	,,	,,	,,	,,	,,	,	,,	,,	,,	
Assistant Superintendent's do.	,,	,,	,,	,,	,,	,,	,,	,,	,,	,,	,,	,,	,,	
Total ...	,,	,,	,,	,,	,,	,,	,,	,,	,,	,,	,,	,,	,,	
Grand Total ...	,,	,,	,,	9 2	23,757	11	11	2 973	8	,,	7,467	12	,	

AKYAB,
The 7th April 1870.

J. F. J STEVENSON,
Commissioner of Arakan.

No. V.

SUPPLEMENTARY Civil Return of the Division of Arakan for the year 1869.

1	2	3			4			5			6			7
DESCRIPTION OF SUITS.	Court.	Total value of Suits decided during the year whenever instituted.			Value of Stamps on Suits instituted during the year whether decided or not.			Value of all other costs except Stamps on Suits instituted during the year whether decided or not.			Total value of costs on Suits instituted during the year whether decided or not			Remarks.
		Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.	
APPEALS. *I. Suits connected with Immoveable property.*	Courts of the Commissioner and the Deputy Commissioners of Akyab, Ramree and Superintendent of North Arakan.													
1. House		260	0	0	29	0	0	27	0	0	56	0	0	
2. Land		1,862	5	9	204	8	0	196	3	3	400	11	3	
3. Mortgage		306	3	0	46	0	0	27	15	0	73	15	0	
4. Fisheries.		0	6	0	2	0	0	3	1	4	5	1	4	
5. Inheritance		2,101	8	0	8	8	0	4	0	0	12	8	0	
6. Other cases..		0	0	0	0	0	0	0	0	0	0	0	0	
II. Suits not connected with Immoveable property		4,530	6	9	290	0	0	258	3	7	548	3	7	
1. Debt		12,601	8	8	1,305	8	0	968	14	10	2,274	6	10	
2. Damages for breach of contract or loss or injury to property		315	0	0	36	0	0	34	13	4	70	13	4	
3. Damages for personal injury and wrongs. ...		125	0	0	12	8	0	15	13	4	28	5	4	
4. Marriage or Divorce		505	0	0	73	0	0	32	1	0	105	1	0	
5. Inheritance		3,782	0	5	219	8	0	156	11	0	376	3	0	
6. Other cases		7,254	2	6	645	6	0	405	7	3	1,050	13	3	
		24,582	11	7	2,291	14	0	1,615	12	9	3,906	10	9	
I. & II. Suits connected with Moveable and Immoveable property Depy. Comr: Sandoway.		2,069	10	10	309	1	0	141	3	2	450	4	2	
Grand Total ...		31,182	13	2	2 890	15	0	2,015	3	6	4,905	2	6	

ORIGINAL SUITS.

Courts of the Deputy Commissioner of Akyab, Ramree and the Superintendent of North Arakan.

I. Suits connected with Immoveable property.												
1. House	517	4	0	53	0	0	26	8	0	79	8	0
2. Land	6,803	12	2	392	12	0	833	3	4	1,225	15	4
3. Mortgage	1,042	7	6	132	0	0	152	11	0	284	11	0
4. Fisheries	158	0	6	21	0	0	90	0	0	111	0	0
5. Inheritance	10 734	12	2	611	9	0	235	14	6	847	7	6
6. Other cases	5,052	7	6	454	8	0	351	8	6	800	0	6
	23,308	11	10	1,664	13	0	1,689	13	4	3,354	10	4
II. Suits not connected with Immoveable property.												
1. Debt	2,14,590	6	2	20,612	4	0	7,763	2	5	28,375	6	5
2. Damages for breach of contract or loss or injury to property	59.842	3	6	3,117	1	0	2,040	14	5	5,157	15	5
3. Damages for personal injury and wrongs . .	2,556	0	0	283	12	0	226	9	0	510	5	0
4. Marriage or Divorce	6,491	11	0	2,095	8	0	602	12	0	2,698	4	0
5 Inheritance	5,109	6	2	1,148	12	0	455	6	3	1,604	2	3
6. Other cases	77,712	9	5	8,359	8	0	5,399	10	0	13,759	2	0
	3,65,302	4	3	35,616	13	0	16,488	6	1	52,105	3	1
I. & II. Suits connected with Moveable and Immoveable property Dy. Comr. Sandoway.	14,220	7	5	1,814	5	0	1,656	8	5	3,470	13	5
Grand Total ..	3,94,021	7	6	39,095	15	0	19,834	11	10	58,930	10	10

AKYAB,
The 11th July 1870.

J. F. J. STEVENSON,
Commissioner of Arakan.

A.

AVERAGE duration of Suits in the Civil Courts of the Arakan Divn. for 1869, as called for by Chief Court's Order Memo. No. 01922 dated 1st July 1864.

COURTS.	APPEALS.		ORIGINAL.		MISCELLANEOUS.	
	Months.	Days.	Months.	Days.	Months.	Days.
Commissioner's Court...	0	25·5	0	0	0	9·6
Akyab District.						
Deputy Commissioner's Court... ...	2	6·0	0	25·8	0	13·4
Assistant Commissioner's Court... ...	0	0	0	17·9	0	5·5
Naaf Ex. Asst. Commissioner 1st Class	0	0	0	19·	0	5·5
Akyab do. do. 2nd „	0	0	0	9·6	0	6·2
Myohoung do. do. 3rd „	0	0	0	6·5	0	5·2
Rathaidoung do. 3rd „	0	0	0	10·8	0	7·
Kyai Let do. do. 3rd „	0	0	0	7·5	0	7·5
Minbya do. do. 3rd „	0	0	0	10·2	0	5·2
Ooyittoung East do. 3rd „	0	0	0	28·3	0	15·
Ooyittoung West do. 3rd „	0	0	0	15·4	0	14·2
Koladan do. do. 3rd „	0	0	1	7·0	1	2·5
Total...	2	6·0	0	11·6	0	10·6
Ramree District.						
Deputy Commissioner's Court... ...	0	3·6	0	7·	0	12·3
Kyouk Phyoo Ex. Asst. Comr. 1st Class	0	0	0	18·8	0	12·5
Ramree do. do. 3rd „	0	0	0	15·7	0	7·3
Aeng do. do. 3rd „	0	0	0	13·5	0	4·8
Cheduba do. do. 3rd „	0	0	0	19·4	0	5·1
Total...	0	3·6	0	16·9	0	8·4
Sandowdy District.						
Deputy Commissioner's Court... ...	0	18·9	0	0	0	3·
Sandoway Ex. Asst. Comr. 2nd Class	0	0	0	8·2	0	9·
do. Northern Division do. 3rd „	0	0	0	8·5	0	12·
do. Southern do. do. 3rd „	0	0	0	13·7	0	10·
Total...	0	18·9	0	9·4	0	8·3
Northern Arakan.						
Hill Tribes Superintendent's Court ...	0	0	0	0	0	0
do. Asst. Superintendent's Court	0	0	0	5·	0	0
Total...	0	0	0	5·	0	0
Grand Total...	0	28·5	0	12·2	0	9·2

AKYAB,
The 7th April 1870.

J. F. J. STEVENSON.
Commissioner of Arakan.

B.

STATEMENT showing the result of Appeals and Second Appeals in Civil Suits from all the Courts in the Division of Arakan in 1869 *as called for by letter No.* 02190 *dated* 12*th June* 1865, *from the Chief Court of B .B.*

	Courts.	Number rejected.	Decree for Appellant on trial.	Decree for Respondent on trial.	Otherwise settled or adjusted.	Total.
1	From Deputy Commissioner to Commissioner of Arakan	„	1	„	„	1
	„ Superintendent of Hill Tribes N. Arakan to Do. ...	„	„	„	„	„
2	„ Assistant Commissioner and Extra Assistant Commissioner of 1st Class, 2nd Class and 3rd Class to Deputy Commissioner ...	12	64	90	5	171
3	„ Second Appeals to Commissioner of Arakan	1	2	3	„	6
	Total ...	13	67	93	5	178

Akyab,
The 7th April 1870.

J. F. J. STEVENSON,
Commissioner of Arakan.

C.

STATEMENT showing result of Appeals and Second Appeals in all the Courts of the Division of Arakan during 1869, vide Chief Commissioner's letter No 284 dated 27th February 1866

COURTS FROM WHICH THE 2ND APPEALS AND APPEALS WERE PREFERRED.	ARAKAN DIVISION.				
	Decree for Respondent.	Decree of Lower Court reversed or modified.	Rejected.	Otherwise settled.	Total.
From Deputy Commissioner to Commissioner of Arakan	„	1	„	„	1
„ Superintendent of Hill Tribes N. A. to Do.	„	„	„	„	„
„ Assistant Commissioner to Deputy Commissioner	4	3	„	„	7
„ Ex: Asst: Commissioner 1st Class to Deputy Commissioner ...	9	9	2	„	20
„ Ex: Asst: Commissioner 2nd Class to Do. do. ...	31	17	„	1	49
„ Ex: Asst: Commissioner 3rd Class to Do. do. ...	46	35	10	4	95
Second Appeals to Commissioner of Arakan	3	2	1	„	6
Total ...	93	67	13	5	178

AKYAB,
The 7th April 1870.

J. F. J. STEVENSON,
Commissioner of Arakan.

D.

STATEMENT showing the duration of Civil Cases in each grade of Court in each District of the Division of Arakan during the year 1869, *called for by Chief Commissioner, in No.* 1839 *dated* 16*th August* 1866.

Grade of Court.	No. of Cases decided within days as under.															Total No. of Cases.	Total No. of days.	Average duration of each.	Remarks.
	1 Day.	2 „	3 „	4 „	5 „	6 „	7 „	8 „	9 to 15.	16 to 24.	25 to 30.	31 to 45.	46 to 60.	61 to 90.	91 to 120.				
Akyab District.																			
Deputy Commissioner's Court ...	„	„	„	„	„	1	„	1	„	„	1	1	„	1	„	5	147	29·4	
Assistant Commissioner's Court ...	1	5	1	„	3	1	1	„	13	2	„	4	2	1	„	34	563	16·5	
Ex: Asst: Commr's Court 1st Class	10	3	„	15	17	11	20	16	36	34	34	15	31	10	„	252	4788	19·	
do. do. 2nd Class	58	118	102	103	109	135	73	66	135	59	54	64	„	„	„	1076	9012	8·3	
do. do. 3rd Class	24	63	114	128	113	105	154	160	181	165	96	21	23	23	16	1386	17595	12·7	
Total ...	93	189	217	246	242	253	248	243	365	260	185	105	56	35	16	2753	32106	11·6	
Ramree District.																			
Deputy Commissioner's Court ...	„	„	„	„	„	„	1	„	„	„	„	„	„	„	„	1	7	7	
Ex. Asst: Commr's: Court 1st Class	9	5	4	5	4	3	6	2	38	58	20	12	12	3	„	181	3405	18·8	
do. do. 3rd Class	10	17	19	22	34	17	34	23	112	63	34	35	15	7	„	442	7174	16·2	
Total ...	19	22	23	27	38	20	41	25	150	121	54	47	27	10	„	624	10586	16·9	

D.—(*Continued.*)

Grade of Court.	No. of Cases decided within days as under.															Total No. of Cases.	Total No. of days.	Average duration of each.
	1 day.	2 „	3 „	4 „	5 „	6 „	7 „	8 „	9 to 15.	16 to 24	25 to 30.	31 to 45.	46 to 60.	61 to 90.	91 to 120.			
Sandoway District.																		
Deputy Commr's: Court ...	„	„	„	„	„	„	„	„	„	„	„	„	„	„	„	„	„	„
Ex: Asst: Commr's: Court 2nd Class	6	25	15	21	12	11	16	14	37	15	6	10	5	4	1	198	1643	8.2
Do do. 3rd Class	5	20	18	24	15	15	13	10	17	35	15	4	2	1	„	194	2052	10.5
Total.. ...	11	45	33	45	27	26	29	24	54	50	21	14	7	5	1	392	3695	9.4
Northern Arakan.																		
Superintendent's Court ...	„	„	„	„	„	„	„	„	„	„	„	„	„	„	„	„	„	„
Asst: Superintendent's Court	„	„	„	„	„	„	„	„	„	„	„	„	„	„	„	15	75	5.
Total.....	„	„	„	„	„	„	„	„	„	„	„	„	„	„	„	15	75	5.
Grand Total.....	123	256	273	318*	307	299	318	292	569	431	260	166	90	50	17	3784	46462	12.2

* Information not furnished by the Superintendent of Hill Tribes, Northern Arakan.

AKYAB,
The 7th April 1870.

J. F. J. STEVENSON,
Commissioner of Arakan.

E.

STATEMENT shewing the proportion in which Appeals from each grade of Court were decided or otherwise dealt with in the Arakan Division of British Burma during 1869, called for by Chief Commissioner's No. 1839 dated 16th August 1866.

	From Deputy Commissioner's Court to Commissioner.	From Superintendent of Hill Tribes N. Arakan to Commissioner.	From Assistant Commissioner's Court to Deputy Commissioner.	From Ex: Assistant Commr: 1st class to Deputy Commissioner.	From Ex. Assistant Commr: 2nd class to Deputy Commissioner.	From Ex: Assistant Commr: 3rd class to Deputy Commissioner.	Total.
Judgment confirmed including rejected cases.	50·0	0·0	57·14	44·00	59·61	48·27	50·96
Modified or reversed	37·5	0·0	42·85	36 00	32·69	30·17	32·21
Otherwise disposed of	0·0	0 0	0·0	...	1·92	3·44	2·40
Pending	12 5	0·0	0·0	20·00	5·76	18·10	14·42
Total ...	100·0	0 0	99·99	100·00	99·98	99 98	99·99

AKYAB,
The 7th April 1870.

J. F. J. STEVENSON,
Commissioner of Arakan.

F.

DETAILED Statement of Miscellaneous Cases and those arising under Section 22 of Act I of 1863, instituted, disposed of and pending as entered in Columns 4-8-12 and 16 of Statement No. 1 in the Courts of the Arakan Division for the year 1869.

Nature of Cases.	Pending.		Instituted.		Disposed of.		Pending.	
	Appeals.	Miscellaneous Cases.	Appeals.	Miscellaneous Cases.	Appeals.	Miscellaneous Cases.	Appeals.	Miscellaneous Cases.
1. Execution of Decree...	..	15	5	1250	5	1243	...	22
2. Objections to attachment of property in Execution of Decree	...	1	3	221	3	219	...	3
3. Claims to sue as a pauper	...	...	...	25	...	25	...	...
4. Claims under Act XIX of 1841	...	1	...	2	...	3	...	...
5. Cases under Act XXXVI of 1858	...	...	...	...	...	...	...	...
6. Cases under Act XL of 1858 and Act IX of 1861	...	...	1	5	1	5	...	...
7. Cases under Act XXVII of 1860	...	2	4	48	4	46	...	4
8. All other Miscellaneous cases not included above...	...	8	8	1292	8	1294	...	6
Grand Total ...	...	27	21	2843	21	2835	...	35

Akyab,
The 7th April 1870.

J. F. J. STEVENSON,
Commissioner of Arakan.

No. I.

STATEMENT of SUITS of every description instituted, disposed of and pending before all the Courts European and Native, in the Division of Pegu for the year 1869.

Courts.	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
	No. of suits pending at the close of the year 1868.				No. of suits instituted during the year.				No. of cases disposed of during the year.				No. of cases pending at the close of the year.			
	Appeals.	Original suits.	Miscellaneous cases.	Total.	Appeals.	Original suits.	Miscellaneous cases.	Total.	Appeals.	Original suits.	Miscellaneous cases.	Total.	Appeals.	Original suits	Miscellaneous cases.	Total.
Commissioner's Court. { 2nd Appeals. ...	8	„	1	9	32	„	24	56	37	„	24	61	3	„	1	4
Commissioner's Court. { Regular	„	„	„	„	2	„	„	2	2	„	„	2	„	„	„	„
Cantonment.	„	1	„	1	„	346	„	346	„	347	„	347	„	„	„	„
Total...	8	1	1	10	34	346	24	404	39	347	24	410	3	„	1	4
Rangoon District.																
Deputy Commissioner	7	„	1	8	64	6	18	88	70	4	17	91	1	2	2	5
Assistant Commissioner	„	11	4	15	„	203	82	285	„	189	70	259	„	25	16	41
Extra do. 1st class...	„	5	„	*5	„	145	21	166	„	142	21	163	„	3	„	3
Do. do. 3rd class...	„	17	10	27	„	1931	323	2254	„	1914	319	2233	„	34	14	48
Total...	7	33	15	55	64	2285	444	2793	70	2249	427	2746	1	64	32	97

* Burnt in the fire at Pegu.

No. I.—*(Continued.)*

Courts.	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
	No. of suits pending at the close of the year 1868.				No. of suits instituted during the year.				No. of cases disposed of during the year.				No. of cases pending at the close of the year.			
	Appeals.	Original.	Miscellaneous cases.	Total.	Appeals.	Original suits.	Miscellaneous cases.	Total.	Appeals.	Original suits.	Miscellaneous cases.	Total.	Appeals.	Original suits.	Miscellaneous cases.	Total.
Bassein District.																
Deputy Commissioner...	11	...	...	11	132	3	7	142	90	3	7	100	53	...	...	53
Assistant Commissioner.... ...	...	3	4	7	...	536	214	750	...	524	214	738	...	15	4	19
Extra do. 1st class...	...	1	2	3	...	342	74	416	...	343	72	415	...	...	4	4
Do. do. 2nd class...	...	1	...	1	...	705	212	917	...	704	212	916	...	2	...	2
Do. do. 3rd class...	...	8	3	11	...	1550	182	1732	...	1548	184	1732	...	10	1	11
Total...	11	13	9	33	132	3136	689	3957	90	3122	689	3901	53	27	9	89
Myanoung District.																
Deputy Commissioner.	99	...	...	99	178	..	36	214	275	...	36	311	2	..	..	2
Assistant Commissioner.	...	...	1	1	...	5	8	13	...	5	9	14	...	..	...	...
Extra do. 1st class...	...	...	...	...	...	102	27	129	..	102	27	129	...	...	..	...
Do. do. 2nd class...	...	3	...	3	...	435	108	543	...	438	108	546	...	...	..	...
Do. do. 3rd class...	...	4	...	4	...	2324	423	2747	...	2328	423	2751	...	...	..	...
Total...	99	7	1	107	178	2866	602	3646	275	2873	603	3751	2	...	...	2

Prome District.																
Deputy Commissioner	6	...	3	9	264	4	116	383	263	4	115	382	7	...	4	11
Assistant Commissioner... ...	...	2	6	8	...	188	96	284	...	176	96	272	...	14	6	20
Extra do. do. 1st Class	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
do. do. do. 2nd Class	...	6	14	20	...	1,042	453	1,495	...	1,030	451	1,481	...	18	16	34
do. do. do. 3rd Class	...	28	10	38	...	2,099	331	2,430	...	2,091	323	2,414	...	36	18	54
Total.....	6	36	33	75	264	3,333	996	4,593	263	3,301	985	4,549	7	68	44	119
Toungoo District.																
Deputy Commissioner	4	...	...	4	145	2	109	256	148	1	106	255	1	1	3	5
Assistant Commissioner	...	...	...	...	...	55	50	105	...	55	50	105	...	...	...	. .
Extra do. do. 2nd Class	...	7	1	8	...	611	437	1,048	...	614	436	1,050	...	4	2	6
do. do. do. 3rd Class	...	...	...	...	...	467	68	535	...	464	68	532	...	3	...	3
Total.....	4	7	1	12	145	1,135	664	1,944	148	1,134	660	1,942	1	8	5	14
Grand Total.....	135	97	60	292	817	13,101	3419	17,337	885	13,026	3388	17,299	67	167	91	325

RANGOON,
The 12th May 1870.

R. D. ARDAGH,
Commissioner of Pegu.

No.

CLASSIFICATION of APPEALS and ORIGINAL SUITS instituted

Column 7 of

APPEALS.

DESCRIPTION OF SUITS.	Before Comr.	Rangoon.		Bassein.		Myan-oung.		Prome.		Toungoo.		Grand Total.
		Deputy Comr.	Total.	Deputy Comr.	Total.	Deputy Comr.	Total.	Deputy Comr.	Total.	Deputy Comr.	Total.	
I. Suits connected with Immoveable property.												
1. Houses...	1	0	0	1	1	0	0	10	10	5	5	17
2. Land..	23	11	11	20	20	32	32	80	80	22	22	188
3. Mortgage....	0	0	0	1	1	2	2	2	2	0	0	5
4. Fisheries....	0	0	0	0	0	3	3	0	0	0	0	3
5. Inheritance.... ...	0	0	0	0	0	10	10	2	2	2	2	14
6. Other Cases.... ...	0	0	0	2	2	9	9	1	1	6	6	18
II. Suits not connected with Immoveable property.												
1. Debt	3	23	23	27	27	26	26	70	70	35	35	184
2. Damages for breach of contract or loss or injury to property...	0	0	0	18	18	4	4	5	5	3	3	30
3. Damages for personal injuries or wrongs.	0	7	7	23	23	32	32	46	46	2	2	110
4. Marriage or Divorce....	0	3	3	2	2	7	7	6	6	7	7	25
5. Inheritance.	0	1	1	0	0	0	0	5	5	1	1	7
6. Other Cases.	7	19	19	38	38	53	53	37	37	62	62	216
Total .	34	64	64	132	132	178	178	264	264	145	145	817

II.

before all the Courts in the Division of Pegu during the year 1869 *as per Statement No. I.*

ORIGINAL SUITS.

Rangoon.						Bassein.						Myanoung.					
Cant. Asst. Comr.	Deputy Comr.	Asst. Comr.	Extra Assistant Comr. 1st Class.	Extra Assistant Comr. 3rd Class.	Total.	Deputy Comr.	Asst. Comr.	Extra Assistant Comr. 1st Class.	Extra Assistant Comr. 2nd Class.	Extra Assistant Comr. 3rd Class.	Total.	Deputy Comr.	Assistant Comr.	Extra Assistant Comr. 1st Class.	Extra Assistant Comr. 2nd Class.	Extra Assistant Comr. 3rd Class.	Total.
0	0	2	0	0	2	0	2	0	12	7	21	0	0	0	3	12	15
0	0	3	1	50	54	0	9	18	14	25	66	0	0	3	17	111	131
0	0	0	0	0	0	0	10	0	0	0	10	0	0	0	0	3	3
0	0	4	0	7	11	0	0	2	0	2	4	0	1	0	2	2	5
0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	3	5
0	0	0	0	39	39	0	0	0	0	0	0	0	1	0	20	41	62
346	2	55	27	519	950	2	221	79	142	405	849	0	0	52	91	596	739
0	1	5	21	169	196	0	76	0	329	123	528	0	1	8	79	307	455
0	0	0	0	69	69	1	20	44	77	329	471	0	1	9	71	314	395
0	0	12	13	94	119	0	33	33	87	116	269	0	0	7	29	124	160
0	0	1	0	66	67	0	0	2	20	7	29	0	0	9	0	22	31
0	3	121	83	918	1125	0	165	164	24	536	889	0	1	14	121	729	865
346	6	203	145	1931	2631	3	536	342	705	1550	3136	0	5	102	435	2324	2866

No. II.—(*Continued.*)

ORIGINAL SUITS.—(*Continued.*)

	Prome.						Toungoo.					Grand Total.
	Deputy Comr.	Asst. Comr.	Extra Asst. Comr. 1st Class.	Extra Asst. Comr. 2nd Class.	Extra Asst. Comr. 3rd Class.	Total.	Deputy Comr.	Asst. Comr.	Extra Asst. Comr. 2nd Class.	Extra Asst. Comr. 3rd Class.	Total.	
I. Suits connected with Immoveable property												
1. Houses.	1	3	0	12	8	24	0	0	5	8	13	75
2. Land.	0	1	0	23	158	182	0	1	11	25	37	470
3. Mortgage	0	2	0	1	0	3	0	0	3	3	6	22
4. Fisheries	0	0	0	0	0	0	0	0	0	1	1	21
5. Inheritance	0	0	0	9	7	16	0	0	0	7	7	28
6. Other Cases... ...	0	0	0	23	22	45	0	1	8	31	40	186
II. Suits not connected with Immovable property.												
1. Debt...	2	27	0	218	448	695	0	6	260	114	380	3612
2. Damages for breach of contract or loss or injury to property... ...	0	12	0	10	82	104	0	7	7	15	29	1312
3. Damages for personal injuries or wrongs ...	1	4	0	54	415	474	0	0	0	0	0	1409
4. Marriage or Divorce.	0	3	0	73	169	245	0	0	89	53	142	935
5. Inheritance... .	0	0	0	7	4	11	0	0	0	6	6	144
6. Other Cases.... ...	0	135	0	613	786	1534	2	40	228	204	474	4887
Total.	4	187	0	1043	2099	3333	2	55	611	467	1135	13101

RANGOON,
The 12th May 1870.

R. D. ARDAGH,
Commissioner of Pegu.

No. III.

STATEMENT of SUITS disposed of by all the Courts in the Division of Pegu during the year 1869.

SUITS.	COURTS.	Rejected.	Decided on trial. In favor of Appellant or Plaintiff.	Decided on trial. In favor of Respondent or Defendant.	Decreed Exparte.	Compromised.	Withdrawn dismissed in default or otherwise disposed of.	Transferred or Remanded.	Total.
APPEALS.	*Commissioner's Court.* 2nd Appeal ...	4	8	21	„	„	1	3	37
	Commissioner's Court. Regular ...	„	1	1	„	„	„	„	2
	Rangoon District. ...	„	„	„	„	„	„	„	„
	Deputy Commissioner... ...	„	21	26	„	3	20	„	70
	Bassein District. ...	„	„	„	„	„	„	„	„
	Deputy Commissioner... ...	12	22	42	„	3	7	4	90
	Myanoung District. ...	„	„	„	„	„	„	„	„
	Deputy Commissioner... ...	33	75	125	3	„	33	6	275
	Prome District. ...	„	„	„	„	„	„	„	„
	Deputy Commissioner... ...	39	139	60	„	1	24	„	263
	Toungoo District. ...	„	„	„	„	„	„	„	„
	Deputy Commissioner... ...	„	48	63	1	„	12	24	148
	Total...	88	314	338	4	7	97	37	885

No. III.—(*Continued.*)

Suits.	Courts.	Rejected.	Decided on trial. In favor of Appellant or Plaintiff.	Decided on trial. In favor of Respondent or Defendant.	Decreed Exparte.	Compromised.	Withdrawn, dismissed in default or otherwise disposed of.	Transferred.	Total.
Original.	Cantonment...	„	90	40	137	9	71	„	347
	Rangoon District. ...								
	Deputy Commissioner ...	1	2	„	„	1	„	„	4
	Assistant do. ...	„	80	18	14	10	67	„	189
	Ex: Asst. do. 1st Class	„	71	4	7	9	51	„	142
	do. do. 3rd „	„	874	155	189	81	615	„	1914
	Total...	1	1027	177	210	101	733	„	2249
	Bassein District. ...								
	Deputy Commissioner ...	„	1	2	„	„	„	„	3
	Assistant do. ...	„	277	54	32	31	125	5	524
	Ex: Asst. do. 1st Class	„	168	38	29	62	46	„	343
	do. do. 2nd „	„	362	77	36	39	190	„	704
	do. do. 3rd „	„	631	208	128	146	435	„	1548
	Total...	„	1439	379	225	278	796	5	3122
	Myanoung District. ...								
	Deputy Commissioner	„	„	„	„	„	„	„	„
	Assistant do.	„	5	„	„	„	„	„	5
	Ex: Asst. do. 1st Class	„	50	25	4	5	18	„	102
	do. do. 2nd „	„	226	77	51	39	45	„	438
	do. do. 3rd „	„	1061	270	300	327	370	„	2328
	Total	„	1342	372	355	371	433	„	2873

No. III.—(*Continued.*)

Suits.	Courts.	Rejected.	Decided on trial. In favor of Appellant or Plaintiff.	Decided on trial. In favor of Respondent or Defendant.	Deceased Exparte.	Compromised.	Withdrawn, dismissed in default or otherwise disposed of.	Transferred.	Total.
Original.	*Prome District.* ...								
	Deputy Commissioner ...	„	3	1	„	„	„	„	4
	Assistant do. ...	3	75	21	20	23	34	„	176
	Extra do. 1st Class	„	„	„	„	„	„	„	„
	do. do. 2nd „	„	531	84	148	88	179	„	1030
	do. do. 3rd „	9	874	303	126	216	563	„	2091
	Total...	12	1483	409	294	327	776	„	3301
	Toungoo District. ...								
	Deputy Commissionor ...	„	„	1	„	„	„	„	1
	Assistant do. ...	„	28	10	4	5	5	3	55
	Extra Asst. do. 2nd Class	„	342	146	86	36	2	2	614
	do. do. do. 3rd „	„	234	106	38	57	27	2	464
	Total...	„	604	263	128	98	34	7	1134
	Grand Total...	13	5985	1640	1349	1184	2843	12	13026

No. III.—(*Continued.*)

Suits.	Courts.	Rejected.	Disposed of on trial.		Decreed exparte.	Compromised.	Withdrawn, dismissed on default or otherwise disposed.	Transferred.	Total.
			In favor of Appellant or Plaintiff.	In favor of Respondent or Defendant.					
Miscellaneous.	Commissioner's Court	5	10	...	...	...	8	1	24
	Rangoon District.								
	Deputy Commissioner	...	12	1	...	...	4	...	17
	Assistant Commissioner	...	41	5	...	5	19	...	70
	Extra Assistant Commissioner 1st Class...	2	6	...	1	7	5	...	21
	do. do. do. 3rd do.	...	195	33	4	25	62	...	319
	Total ...	2	254	39	5	37	90	...	427
	Bassein District.								
	Deputy Commissioner	...	7	...	...	...	...	...	7
	Assistant Commissioner	...	182	19	...	5	7	1	214
	Extra Assistant Commissioner 1st Class...	...	71	1	...	...	...	...	72
	do. do. do. 2nd do.	...	192	15	1	4	...	...	212
	do. do. do. 3rd do.	...	160	5	...	12	7	...	184
	Total ..	...	612	40	1	21	14	1	689

Myanoung District.									
Deputy Commissioner	...	16	2	...	...	18	...	36
Assistant Commissioner	...	3	6	...	...	...	...	9
Extra Assistant Commissioner, 1st Class...	...	20	3	...	2	2	...	27
do. do. do. 2nd do.	...	106	2	...	...	...	...	108
do. do. do. 3rd do.	...	382	11	...	25	5	...	423
Total ...	...	527	24	...	27	25	...	603
Prome District.									
Deputy Commissioner	4	62	11	...	...	12	26	115
Assistant Commissioner	7	70	6	1	7	5	...	96
Extra Assistant Commissioner, 1st Class...	...	...	...	...	...	...	...	...
do. do. do. 2nd do.	...	234	71	1	44	101	...	451
do. do. do. 3rd do.	...	163	55	1	62	42	...	323
Total ...	11	529	143	3	113	160	26	985
Toungoo District.									
Deputy Commissioner	...	54	52	...	...	...	...	106
Assistant Commissioner	...	42	7	...	1	...	...	50
Extra Assistant Commissioner 2nd Class...	...	367	55	5	3	1	5	436
do. do. do. 3rd do.	...	59	7	...	2	...	...	68
Total ...	...	522	121	5	6	1	5	660
Grand Total ...	18	2454	367	14	294	298	33	3388

RANGOON,
The 21st May 1870.

R. D. ARDAGH,
Commissioner of Pegu.

No. IV.

SUPPLEMENTARY Civil Return of the Division of Pegu for the year 1869.

1	2	3		4		5			6			7			
SUITS.	COURTS.	Longest period any case at the close of the year was pending.		Average duration of Suits disposed of during the year.		Total amount of Value of Suits instituted during the year.			Value of Stamps in Law papers filed during the year.			Costs of every description inclusive of Stamps and Pleaders fees incurred by parties in Suits disposed of during the year.			REMARKS.
		M.	D.	M.	D.	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.	
APPEALS.	Comr.'s Court. { 2nd Appeal	5	21	1	25	9,442	6	4	423	4	„	730	1	„	
	Comr.'s Court. { Regular	„	„	„	26	3,250	„	„	329	„	„	415	4	„	
	Rangoon District.														
	Deputy Commissioner -	* 8	10	2	19	9,735	„	„	1,104	„	„	1,900	„	„	* The case has been transferred several times to the Lower Court still it is pending and not settled.
	Bassein District.														
	Deputy Commissioner -	5	3	2	25	13,842	1	3	876	2	„	1,058	14	8	
	Myanoung District.														
	Deputy Commissioner -	„	15	3	12	12,975	7	9	1,683	11	„	3,636	„	10	
	Prome District.														
	Deputy Commissioner -	„	15	„	14	36,396	9	8	3,041	14	„	3,607	12	10	
	Toungoo District.														
	Deputy Commissioner -	1	26	„	12	17,474	8	„	1,048	12	6	1,626	8	„	
	Grand Total...	Average.		1	25	1,03,116	1	„	8,506	11	6	12,974	9	4	

ORIGINAL

Cantonment - - -	„	„	„	4	15,294	6	4	1,378	8	„	389	3	„
Rangoon District.														
Deputy Commissioner -	5	17	1	8	5,190	„	„	530	„	„	623	„	„
Asst do. -	3	2	1	6	27,490	„	„	2,819	„	„	3,237	„	„
Extra Asst. do. 1st Class	1	3	„	5	16,413	„	„	1,748	„	„	2,989	„	„
do do. 3rd „ -	„	26	„	15	1,30,714	„	„	13,716	„	„	18,352	„	„
Total ...	Average.		„	14	1,79,807	„	„	18,813	„	„	25,201	„	„
Bassein District.														
Deputy Commissioner -	„	„	1	„	2,681	1	„	210	„	„	227	15	„
Asst do. -	„	„	„	17	58,113	15	5	5,622	14	„	7,544	„	10
Ext Asst. do 1st Class	„	„	„	6	27,615	15	6	2,762	3	„	4,280	7	„
do. do. 2nd do.	„	„	„	14	43,557	13	1	4,137	„	„	6,056	12	„
do. do. 3rd do.	„	„	„	19	86,687	2	„	8,686	12	4	16,078	10	4
Total ...	Average.		„	15	2,18,655	5	„	21,418	13	4	34,187	13	2
Myanoung District.														
Deputy Commissioner -	„	„	„	„	„	„	„	„	„	„	„	„	„
Asst do. -	„	„	„	9	1,252	„	„	127	„	„	204	10	„
Ex Asst do 1st Class	„	„	„	6	14,088	3	6	1,072	5	„	1,593	7	11
do do. 2nd „	„	„	„	8	42,981	1	8	4,441	9	„	3,952	14	5
do do. 3rd „	„	„	„	8	1,18,638	7	4	13,360	10	9	21,411	13	6
Total ...	Average.		„	8	1,76,959	12	6	19,001	8	9	27,162	13	10

No. IV.—(*Continued.*)

ORIGINAL SUITS.

1	2	3		4		5			6			7		
	COURTS.	Longest period any case on the file has been pending during the year.		Average duration of Suits disposed of during the year.		Total amount of value of Suits instituted during the year.			Value of Stamp in Law papers filed during the year.			Costs of every description inclusive of Stamps and Pleaders' fees incurred by parties in Suits disposed of during the year.		
		M.	D.	M.	D.	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.
	Prome District.													
	Deputy Commissioner	„	„	1	26	13,084	8	„	741	13	„	1,336	4	„
	Asst. do.	„	12	0	16	45,880	4	2	4,332	10	9	6,694	2	10
	Addl. Asst do.	„	„	1	4									
	Extra do. 2nd Class	„	5	„	28	81,192	10	11	5,601	2	„	7,100	15	3
	do. do. 3rd „	2	16	„	16	86,687	9	2	11,294	12	6	23,665	2	8
	Total...	Average.		„	20	2,26,845	„	3	21,970	6	3	38,796	8	9
	Toungoo District.													
	Deputy Commissioner	„	„	„	4	6,350	„	„	120	„	„	185	4	„
	Asst. do.	„	„	„	7	11,060	2	3	414	6	„	663	6	2
	Ex. Asst. do. 1st Class	„	„	„	„	„	„	„	„	„	„	„	„	„
	do. do. 2nd „	2	6	„	10	34,188	7	10	3,769	8	„	5,624	14	„
	do. do. 3rd „	„	„	„	3	18,280	11	10	2,043	7	„	3,859	13	10
	Total...	Average.		„	7	69,879	5	11	6,347	5	„	10,333	6	„
	Grand Total...	Average.		„	14	8,87,440	14	„	88,929	9	4	1,36,070	12	9

Commissioner's Court ...	"	"	"	16	"	"	"	"	20	2	"	20	2	"
Rangoon District.														
Deputy Commissioner ...	1	14	1	6	"	"	"	"	47	"	"	153	"	"
Assistant Commissioner... ...	1	17	"	16	"	"	"	"	404	"	"	802	"	"
Ex. Asst. Comr. 1st Class ...	"	"	"	6	"	"	"	"	14	"	"	128	"	"
do. do. 3rd do. ...	"	24	"	11	"	"	"	"	418	"	"	1,411	"	"
Total ...	Average.		"	12	"	"	"	"	883	"	"	2,494	"	"
Bassein District.														
Deputy Commissioner ...	"	"	"	4	3,471	"	"	"	5	8	"	10	2	"
Assistant do. ...	"	"	"	6	30,634	7	2	"	229	"	"	651	15	"
Extra Asst. do. 1st Class...	"	"	"	5	10,920	15	8	"	115	13	"	466	7	"
do. do. 2nd do. ...	"	"	"	4	12,568	10	4	"	139	8	"	848	7	"
do. do. 3rd do. ...	"	"	"	7	19,392	1	1	"	308	13	7	1,219	2	5
Total ...	Average.		"	6	76,987	2	3	"	798	10	7	3,196	1	5
Myanoung District.														
Deputy Commissioner ...	"	"	"	4	3,389	"	8	"	32	"	"	67	2	"
Asst. do. ...	"	"	"	3	6,280	15	"	"	17	10	"	102	14	"
Extra Asst. do. 1st Class ...	"	"	"	1	4,245	4	2	"	59	3	"	155	6	"
do. do. 2nd do.	"	"	"	1	29,744	4	1	"	217	1	"	478	5	"
do. do. 3rd do.	"	"	"	1	37,613	11	"	"	568	3	"	2,399	4	"
Total ...	Average.		1	"	81,273	2	11	"	894	1	"	3,202	15	"

No. IV.—(*Continued.*)

1	2	3		4		5			6			7		
SUITS.	COURTS.	Longest period any case on the file has been pending during the year.		Average duration of Suits disposed of during the year.		Total amount of value of Suits instituted during the year.			Value of Stamps in Law papers filed during the year.			Costs of every description inclusive of Stamps and Pleaders fees incurred by parties in Suits disposed of during the year.		
		M.	D.	M.	D.	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.
MISCELLANEOUS.	*Prome District.*													
	Deputy Commissioner ...	„	23	„	5	36,843	9	3	205	8	„	127	„	„
	Asst. do. ...	„	42	„	21	26,034	12	4	139	3	8	338	14	3
	Extra Asst. do. 1st Class...	„	„	„	„	„	„	„	„	„	„	„	„	„
	do. do. 2nd do.	„	16	„	13	88,157	1	10	336	11	„	835	5	„
	do. do. 3rd do.	„	24	„	8	26,937	12	8	448	12	„	1,854	9	„
	Total ...	Average.		„	11	1,77,973	4	1	1,130	2	8	3,155	12	3
	Toungoo District.													
	Deputy Commissioner ...	„	„	„	1	701	14	3	61	6	„	63	10	„
	Assistant do. ...	„	„	„	3	10,054	6	1	48	3	„	97	2	„
	Extra Asst. do. 1st Class...	„	„	„	„	„	„	„	„	„	„	„	„	„
	do. do. 2nd do.	„	„	„	3	71,337	11	11	401	11	„	1,385	15	9
	do. do. 3rd do.	„	„	„	1	3,421	6	11	78	14	„	275	12	„
	Total ...	Average.		„	2	85,575	7	2	●590	2	„	1,822	7	9
	Grand Total ...	Average.		„	12	4,21,749	„	5	4,316	2	3	13,891	6	5

RANGOON,
The 12th May 1870.

R. D. ARDAGH,
Commissioner of Pegu.

No. V.

SUPPLEMENTARY Civil Return of the Pegu Division of British Burma, for the year 1869.

1	2	3			4			5			6			7
Description of Suits.	Courts.	Total value of Suits decided during the year whenever instituted.			Value of Stamps on Suits instituted during the year whether decided or not.			Value of all other Costs except Stamps, on Suits instituted during the year whether decided or not.			Total value of costs on Suits instituted during the year, whether decided or not.			Remarks.
		Rupees.	A.	P.	Rupees.	A.	P.	Rupees.	A.	P	Rupees.	A.	P.	
Appeals.	Commissioner of Pegu*	16,166	5	4	16,031	11	4	134	12	0	16,166	7	4	
	Deputy Commissioner, Rangoon	10,582	0	0	1,104	0	0	796	0	0	1,900	0	0	
	Do. Bassein....	11,185	14	5	876	2	0	182	12	8	1,058	14	8	
	Do. Myanoung.	21,976	13	10	1,683	11	0	1,206	11	0	2,890	6	0	
	Do. Prome.....	35,966	8	0	3,082	10	0	566	8	0	3,649	2	0	
	Do. Toungoo...	17,474	8	0	1,048	12	6	577	11	5	1,626	7	11	
	Total Appeals.....	1,13,352	1	7	23,826	14	10	3,464	7	1	27.291	5	11	
Original Cases.	Deputy Commissioners	15,508	6	4	1,404	0	0	394	1	0	1,798	1	0	
	Assistant Commissioners.....	27,305	9	0	1,601	13	0	770	10	0	2,372	7	0	
	Extra Assistant Commissioners .	1,41,446	1	4	13,313	7	0	4,591	1	9	17,904	8	9	
		6,89,473	5	5	72,229	15	1	48,489	6	6	1,20,716	5	7	
	Total Original Cases.....	8,73,733	6	1	88,549	3	1	54,245	3	3	1,42,794	6	4	

No. V.—(*Continued.*)

1	2	3	4	5	6	7
Description of Suits.	Courts.	Total value of Suits decided during the year whenever instituted.	Value of Stamps on Suits instituted during the year whether decided or not.	Value of all other costs, except Stamps, on Suits instituted during the year whether decided or not.	Total value of costs on Suits instituted during the year, whether decided or not.	Remarks.
		Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	
Miscellaneous Cases.	Deputy Commissioners.....	119 10 0	3 0 0	3 4 0	6 4 0	
	Assistant Commissioners.....	45,723 14 11	379 14 0	255 0 0	634 14 0	
	Extra Assistant Commissioners..	1,09,024 3 9	833 2 0	1,150 6 3	1,983 8 3	
	Total Miscellaneous Cases ...	2,71,853 0 8	3,087 9 11	8,217 14 7	11,305 8 6	
		4,27,020 7 8	4,303 9 11	9,626 8 10	13,930 2 9	
Abstract.	Appeals	1,13,352 1 7	23,826 14 10	3,464 7 1	27,291 5 11	
	Original Cases	8,73,733 6 1	88,549 3 1	54,245 3 3	1,42,794 6 4	
	Miscellaneous Cases	4,27,020 7 8	4,303 9 11	9,626 8 10	13,980 2 9	
	Grand Total.	14,14,105 15 4	1,16,679 11 10	67,336 3 2	1,84,015 15 0	
	* Regular Appeals	3,250 0 0	3,222 0 0	28 2 0	3,250 2 0	
	Second Appeals	12,916 5 4	12,809 11 4	106 10 0	12,916 5 4	
	Total	16,166 5 4	16,031 11 4	134 12 0	16,166 7 4	

Rangoon,
The 20th August 1870.

R. D. ARDAGH,
Commissioner of Pegu.

A.

STATEMENT shewing the duration of Civil Suits in the several Courts of the Pegu Division for 1869.

Suits.	Courts.	Commissioner of Division.		Rangoon.		Bassein.		Myanoung.		Prome.		Toungoo.	
		M.	D.	M.	D.	M.	D.	M.	D.	M.	D.	M.	D.
Appeal.	Commissioner of Division	1	10	...	...	...	...	...	...	...	...	...	...
Original.	Deputy Commissioner	...	...	2	19	2	25	3	12	...	14	...	12
	Cantonment Magistrate	...	...	...	4	...	...	...	...	...	...	...	...
	Deputy Commissioner	...	...	1	8	1	...	...	...	1	26	...	4
	Asst: Commissioner	...	...	1	6	...	17	...	9	...	16	...	7
	Extra Asst. do. 1st Class	...	...	...	8	...	6	...	6	1	4	...	...
	Do. do. do. 2nd do.	...	...	...	...	...	14	...	8	...	28	...	10
	Do. do. do. 3rd do.	...	...	...	15	...	19	...	8	...	16	...	3
Miscellaneous.	Commissioner of Division	...	16	...	...	...	...	...	...	...	...	...	...
	Deputy Commissioner	...	...	1	6	...	4	...	4	..	5	...	1
	Assistant Commissioner	...	...	...	16	...	6	...	3	...	21	...	3
	Extra Assistant do. 1st Class	...	...	...	6	...	5	...	1	...	...	...	...
	Do. do. do. 2nd do.	...	...	...	...	...	4	...	1	...	13	..	3
	Do. do. do. 3rd do.	...	...	...	11	...	7	1	13	...	8	...	1

C.

STATEMENT shewing the result of Appeals and Second Appeals in Civil Suits from each Class of Court in the Pegu Division of B. B. for 1869.

	Decree for Respondent.	Decree of Lower Court Reversed or modified.	Rejected.	Otherwise settled.	Total.
Regular Appeals.					
From Deputy Commissioner to Commissioner of Division ...	1	1	...	...	2
Assistant Commissioner to Deputy Commissioner	316	305	84	141	846
Extra Assistant Commissioner 1st Class to Deputy Commissioner ...	...	...	...	...	...
Ex: Assistant Commissioner 2nd Class to Deputy Commissioner ...	...	...	...	...	...
Extra Assistant Commissioner 3rd Class to Deputy Commissioner ...	...	...	...	..	...
2nd Appeals					
To Commissioner of Division ...	21	8	4	4	37
Grand Total...	338	314	88	145	885

RANGOON,
The 12th May 1870.

R. D. ARDAGH
Commissioner of Pegu.

D.

STATEMENT shewing the duration of Civil Cases in each grade of

Suits.	Districts.	Courts.	Number of Cases deci-					
			1 Day.	2 Days.	3 do.	4 do.	5 do.	6 do.
Appeals.		Comr. of Pegu. { 2nd Appeal ...	4	...	...	1	...	....
		Comr. of Pegu. { Regular ...	...	...	...	...	...	....
		Deputy Comr., Rangoon ...	...	...	...	...	...	....
		Do. Bassein ...	12	...	...	...	...	....
		Do. Myanoung ...	41	13	13	6	8	6
		Do. Prome ...	11	10	9	11	18	14
		Do. Toungoo ...	29	13	10	7	6	5
		Total...	97	36	32	25	32	25
Original.	Rangoon.	Cantonment Asst. Comr. ...	1	1	84	94	58	62
		Deputy Commissioner ...	...	...	...	...	...	....
		Assistant Commissioner ...	...	...	...	...	2	6
		Extra Asst. do. 1st Class...	...	...	...	...	10	18
		Do. do. 3rd Class...	...	...	...	492	220	83
		Total...	1	1	84	586	290	169
	Bassein.	Deputy Commissioner ...	...	...	...	...	...	....
		Assistant do. ...	12	39	69	28	12	37
		Extra do. 1st Class.	52	59	36	34	23	31
		Do. do. 2nd do....	107	18	52	68	53	28
		Do. do. 3rd do....	74	23	104	85	145	109
		Total...	245	139	261	215	233	205
	Myanoung.	Deputy Commissioner ...	...	...	...	...	...	....
		Assistant Commissioner ...	...	...	1	1	1	....
		Extra do. 1st Class...	7	15	7	16	11	11
		Do. do. 2nd do....	74	63	51	39	28	28
		Do. do. 3rd do....	337	302	240	217	166	97
		Total...	418	380	299	273	206	136

Courts in the Pegu Division of British Burma, during the year 1869.

DED WITHIN DAYS AS UNDER.												
7 do.	8 do.	9 to 15 do.	16 to 24 do.	25 to 30 do.	31 to 45 do.	46 to 60 do.	61 to 90 do.	91 to 120 do.	121 to 180 do.	Total number of cases.	Total number of days.	Average duration of each case.
												M. D.
...	...	1	1	1	9	5	9	4	2	37	2,035	1 25
...	...	...	1	...	1	...	...	...	...	2	53	... 26
...	...	2	8	3	6	7	13	31	...	70	5,556	2 19
...	...	...	...	...	...	10	23	36	9	90	7,699	2 25
5	4	18	12	12	6	16	6	10	99	275	28,170	3 12
25	20	60	48	14	17	2	3	1	...	263	3,663	... 14
7	8	27	14	11	9	2	...	...	...	148	1,873	... 12
37	32	108	84	41	48	42	54	82	110	*885	49,049	1 25
6	6	33	2	...	...	...	...	...	...	347	1,701	... 4
...	...	1	1	...	1	...	1	...	...	4	153	1 8
9	11	27	39	23	23	27	22	...	...	189	6,805	1 6
33	55	10	16	...	...	...	...	...	...	142	1,195	.. 8
71	193	401	151	92	182	29	...	...	...	1,914	27,926	.. 15
119	265	472	209	115	206	56	23	...	...	2,596	37,780	... 14
...	...	...	...	2	1	...	...	...	...	3	92	1 ...
24	29	89	48	38	73	15	11	...	...	524	8,994	.. 17
27	34	36	8	...	3	...	...	...	...	343	2,009	... 6
25	33	164	21	48	54	24	4	5	...	704	9,977	.. 14
107	69	254	149	154	141	98	33	3	...	1,548	29,473	... 19
183	165	543	226	242	272	137	48	8	...	3,122	50,545	.. 15
...	...	...	...	...	..	...	...	...	...	5	49	... 9
1	...	...	...	1	..	...	...	...	...	102	644	.. 6
7	6	11	5	5	1	..	...	...	...	438	3,795	... 8
22	3	76	29	10	15	..	...	...	...	2,328	20,847	... 8
127	71	363	192	101	72	25	7	6	5			
157	80	450	226	117	88	25	7	6	5	2,873	25,335	... 8

D.

Suits.	Districts.	Courts.	Number of Cases decided in					
			1 Day.	2 Days.	3 do.	4 do.	5 do.	6 do.
Original.	Prome.	Deputy Commissioner ...	...	...	...	...	...	...
		Assistant Commissioner ...	2	21	20	17	16	3
		Addl. Asst. do. ...	...	...	...	...	...	...
		Ex: dq. do. 2nd Class...	40	80	76	59	50	90
		Do. do, 3rd do. ...	22	247	219	190	161	146
		Total...	64	348	315	266	227	239
	Toungoo.	Deputy Commissioner ...	...	...	...	1	...	...
		Assistant do. ...	17	7	8	4	2	3
		Extra do. do. 2nd Class..	12	186	72	65	53	25
		Do. dq. do. 3rd do...	125	87	97	43	33	25
		Total...	154	280	177	113	88	53
		Grand Total...	882	1,148	1,136	1,453	1,044	802
Miscellaneous.		Commissioner of Pegu ...	19	...	1	...	...	...
	Rangoon.	Deputy Commissioner ...	5	...	1	...	...	...
		Assistant Commissioner ...	...	...	...	...	7	8
		Extra Asst. Comr. 1st Class.	...	...	...	...	5	10
		Do. do. 3rd do...	...	...	...	3	5	13
		Total...	5	...	1	3	17	31
	Bassein.	Deputy Commissioner ...	...	...	2	3	...	2
		Assistant do. ...	23	20	31	27	16	40
		Extra do. do. 1st Class...	13	7	2	6	14	10
		Do. do. do. 2nd do....	150	3	4	6	3	2
		Do. dq, do. 3rd do....	19	12	11	8	9	32
		Total...	205	42	50	50	42	86

(*Continued.*)

DED WITHIN DAYS AS UNDER.

7 do.	8 do.	9 to 15 do.	16 to 24 do.	25 to 30 do.	31 to 45 do.	46 to 60 do.	61 to 90 do.	91 to 120 do.	121 to 180 do.	Total number of cases.	Total number of days.	Average duration of each case.
...	...	1	...	...	2	...	...	1	...	4	226	1 26
5	10	16	11	15	30	6	2	1	...	175	2,805	... 16
...	...	...	...	...	1	...	...	...	...	1	34	1 4
69	40	40	60	80	97	130	65	54	...	1,030	29,210	... 28
142	118	391	200	70	89	31	39	26	...	2,091	33,746	... 16
216	168	448	271	165	219	167	106	82	...	3,301	66,021	... 20
...	...	...	...	...	...	...	...	...	...	1	4	... 4
...	...	5	6	...	2	1	...	...	...	55	393	... 7
29	25	71	27	12	17	8	2	2	8	614	6,590	... 10
18	14	12	7	2	1	...	...	...	...	464	1,653	... 3
47	39	88	40	14	20	9	2	2	8	1,134	8,640	... 7
722	717	2,001	972	652	805	394	186	98	13	13,026	188,321	... 14
...	...	...	1	...	...	...	...	3	...	24	377	... 16
...	...	1	1	...	3	2	4	...	...	17	601	1 6
3	10	6	25	11	...	...	...	...	...	70	1,125	... 16
...	6	...	...	...	...	...	...	...	...	21	133	... 6
31	92	63	92	20	...	...	...	...	...	319	3,607	... 11
34	108	70	118	31	3	2	4	...	...	427	5,466	... 12
...	...	...	...	...	...	...	...	...	...	7	32	... 4
7	14	7	1	21	7	...	...	...	...	214	1,464	... 6
5	7	5	3	...	...	...	...	...	...	72	371	... 5
1	3	17	12	8	2	1	...	...	...	212	986	... 4
18	11	40	17	4	3	...	...	...	...	184	1,417	... 7
31	35	69	33	33	12	1	...	...	...	689	4,270	... 6

D.

Suits.	Districts.	Courts.	Number of Cases decided in 1 Day	2 Days.	3 do.	4 do.	5 do.	6 do.
Miscellaneous.	Myanoung.	Deputy Commissioner ...	15	4	1	1	1	4
		Assistant do. ...	3	...	...	...	6	...
		Extra do. 1st Class.	13	5	5	4	...	...
		Do. do. 2nd do .	68	29	6	4	...	...
		Do. do. 3rd do...	56	9	4	8	8	9
		Total...	155	47	16	17	15	13
	Prome.	Deputy Commissioner ...	83	1	2	1	6	...
		Assistant do.	39	9	9	5	4	3
		Extra do. 2nd Class.	20	40	64	70	16	20
		Do. do. 3rd do...	28	58	54	16	15	14
		Total...	170	108	129	92	41	37
	Toungoo.	Deputy Commissioner ...	106	...	...	...	...	...
		Assistant do. . .	36	3	2	1	...	...
		Extra do. 2nd Class.	154	143	36	21	25	10
		Do. do. 3rd do...	68	...	...	...	...	...
		Total...	364	146	38	22	25	10
		Grand Total...	918	343	235	184	140	177

Rangoon,
The 12th May 1870.

(Continued.)

DED WITHIN DAYS AS UNDER.

7 do.	8 do.	9 to 15 do.	16 to 24 do.	25 to 30 do.	31 to 45 do.	46 to 60 do.	61 to 90 do.	91 to 120 do.	121 to 180 do.	Total number of cases.	Total number of days.	Average duration of each case.
1	...	4	1	1	1	2	...	...	...	36	145	... 4
...	...	...	...	...	...	...	...	...	...	9	31	... 3
...	...	...	...	...	...	...	...	...	...	27	42	... 1
...	...	1	...	...	...	...	...	...	...	108	108	... 1
18	10	30	30	15	226	...	...	...	...	423	18,189	1 13
19	10	35	31	16	227	2	...	...	...	603	18,515	1 ...
1	13	...	3	2	3	...	...	...	...	115	598	... 5
4	2	2	4	2	4	...	4	5	...	96	1,957	... 21
29	79	16	18	29	20	18	12	...	...	451	5,941	... 13
13	15	26	25	16	25	9	5	4	...	323	2,516	... 8
47	109	44	50	49	52	27	21	9	...	985	11,012	... 11
...	...	...	...	...	...	..	...	...	...	106	106	. 1
2	...	5	..	...	...	...	1	...	...	50	195	... 3
9	5	30	1	1	1	...	...	...	...	436	1,369	... 3
...	...	...	...	...	...	...	...	...	...	68	68	... 1
11	5	35	1	1	1	...	1	...	...	660	1,738	... 2
142	267	258	264	130	295	32	26	12	...	3,388	41,378	... 12

R. D. ARDAGH,

Commissioner of Pegu.

E.

STATEMENT shewing the proportion in which Appeals from each grade of Court were decided or otherwise dealt with, in the Pegu Division of British Burma for 1869.

	From Deputy Commissioner to Commr:		From Assistant Commissioner to Deputy Commissioner,		From Extra Assistant Comr: 1st Class to Deputy Commr:		From Extra Asst: Commr: 2nd Class to Deputy Commr:		From Extra Asst: Commr: 3rd Class to Deputy Commr:	
Judgment confirmed including rejected (Regular Appeal also) cases	25	59	400	43	...	...	...	...	...	...
Modified or reversed (including Regular Appeal also)	10	23	305	33	...	...	...	...	...	...
Otherwise disposed of	4	10	141	15	...	...	...	...	...	...
Pending	3	750	64	7	...	...	...	...	...	...
Total ...	42		910							

RANGOON,
The 12th May 1870.

R. D. ARDAGH,
Commissioner of Pegu.

No. I.

STATEMENT of SUITS of every description instituted, disposed of, and pending before all the Courts, European and Native, in the Division of Tenasserim of British Burma, during the year 1869.

Districts.	Courts.	No. of Suits pending at the close of the year 1868.				No. of Cases instituted during the year 1869.				No. of Cases disposed of during the year 1869.				No. of Cases pending at the close of the year 1869.				Remarks.
		Appeals.	Original Suits.	Miscellaneous Cases.	Total.	Appeals.	Original Suits.	Miscellaneous Cases.	Total.	Appeals.	Original Suits.	Miscellaneous Cases.	Total.	Appeals.	Original Suits.	Miscellaneous Cases.	Total.	
Amherst.	Commissioner's Court	0	0	0	0	28	0	61	89	27	0	61	88	1	0	0	1	
	Total ..	0	0	0	0	28	0	61	89	27	0	61	88	1	0	0	1	
	Deputy Commissioner, ...	3	0	3	6	105	0	430	535	106	0	432	538	2	0	1	3	
	Assistant do.	0	3	2	5	0	16	26	42	0	19	28	47	0	0	0	0	
	Extra do.	0	76	39	115	0	901	506	1407	0	909	518	1427	0	68	27	95	
	Myo-okes																	
	Total ..	3	79	44	126	105	917	962	1984	106	928	978	2012	2	68	28	[illegible]	
Tavoy.	Deputy Commissioner, ...	15	0	0	15	142	0	18	160	157	0	18	175	0	0	0		
	Extra Assistant do.	0	26	0	26	0	250	131	381	0	275	131	406	0	1	0	1	
	Myo-okes... . . .	0	2	0	2	0	257	59	316	0	256	59	315	0	3	0	[illegible]	
	Total ...	15	28	0	43	142	507	208	857	157	531	208	896	0	4	(		

No. 1.—(*Continued.*)

Districts.	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	Remarks.
	Courts.	No. of Suits pending at the close of the year 1868.				No. of Cases instituted during the year 1869.				No. of Cases disposed of during the year 1869.				No. of Cases pending at the close of the year 1869.				
		Appeals.	Original Suits.	Miscellaneous Cases.	Total.	Appeals.	Original Suits.	Miscellaneous Cases.	Total.	Appeals.	Original Suits.	Miscellaneous Cases.	Total.	Appeals.	Original Suits.	Miscellaneous Cases.	Total.	
Meroui.	Deputy Commissioner, ...	0	0	0	0	33	1	254	288	33	1	254	288	0	0	0	0	
	Extra Assistant do. ...	0	0	0	0	0	531	427	958	0	529	427	956	0	2	0	2	
	Myo-okes	0	0	0	0	0	122	101	223	0	122	101	223	0	0	0	0	
	Total...	0	0	0	0	33	654	782	1469	33	652	782	1467	0	2	0	2	
Shwe-Gyeln.	Deputy Commissioner, ...	10	0	0	10	125	1	11	137	127	1	11	139	8	0	0	8	
	Assistant do. ...	0	2	2	4	0	9	1	10	0	11	3	14	0	0	0	0	
	Extra do. ...	0	0	0	0	0	329	106	435	0	329	106	435	0	0	0	0	
	Myo-okes...	0	2	1	3	0	657	166	823	0	658	156	814	0	1	11	12	
	Total...	10	4	3	17	125	996	284	1405	127	999	276	1402	8	1	11	20	
	Grand Total...	28	111	47	186	433	3074	2297	5804	450	3110	2305	5865	11	75	39	125	

MAULMAIN,
The 15th March 1870.

E. M. RYAN,
Offg. Commissioner of Tenasserim.

APPENDIX.

No. II.

CLASSIFICATION of APPEALS and ORIGINAL SUITS instituted before all the Courts in the Division of Tenasserim during the year 1869, *as per Columns* 6 *and* 7 *of Statement No. I.*

Description of Suits.	Appeals															
	Amherst.						Tavoy.				Mergui					
	Before Commissioner.	Deputy Commissioner.	Asst: Commissioner.	Ex: Asst: Commissioner.	Myo-okes.	Total.	Deputy Commissioner.	Ex: Asst: Commissioner.	Myo-okes.	Total.	Deputy Commissioner.	Extra Asst: Commissioner.	Myo-okes.	Total.		
I. Suits connected with Immoveable property																
1. Houses... ...	0	7	0	0	0	7	3	0	0	3	0	0	0	0		
2 Land...	12	25	0	0	0	25	42	0	0	42	7	0	0	7		
3. Mortgages .	1	0	0	0	0	0	8	0	0	8	0	0	0	0		
4. Fisheries ...	0	1	0	0	0	1	0	0	0	0	0	0	0	0		
5. Inheritance ...	0	0	0	0	0	0	7	0	0	7	3	0	0	3		
6. Other cases . .	1	3	0	0	0	3	6	0	0	6	1	0	0	1		
II. Suits not connected with Immoveable property.																
1. Debt	0	14	0	0	0	14	19	0	0	19	11	0	0	11		
2. Damages for breach of contract or loss or injury to property.	1	6	0	0	0	6	12	0	0	12	3	0	0	3		
3. Damages for personal injuries and wrongs, ...	0	3	0	0	0	3	3	0	0	3	0	0	0	0		
4. Marriage or Divorce. ...	0	1	0	0	0	1	2	0	0	2	2	0	0	2		
5. Inheritance. ...	0	1	0	0	0	1	6	0	0	6	0	0	0	0		
6. Other cases. ...	13	44	0	0	0	44	34	0	0	34	6	0	0	6		
Total ...	28	105	0	0	0	105	142	0	0	142	33	0	0	33		

No. II.

Description of Suits.	Appeals. Shwe-gyeen. Deputy Commissioner.	Asst: Commissioner.	Extra Asst: Commissioner.	Myo-okes.	Total.	Grand Total.	Ori- Amherst. Deputy Commissioner,	Asst: Commissioner.	Extra Asst: Commissioner.	Myo-okes.	Total.
I. Suits connected with Immoveable property.											
1. Houses	3	0	0	0	3	13	0	0	0	6	6
2. Land...	23	0	0	0	23	109	0	2	0	90	92
3. Mortgages	0	0	0	0	0	9	0	0	0	3	3
4. Fisheries	0	0	0	0	0	1	0	0	0	1	1
5. Inheritance	1	0	0	0	1	11	0	0	0	1	1
6. Other cases	0	0	0	0	0	11	0	1	0	27	28
II. Suits not connected with Immoveable property.											
1. Debt	45	0	0	0	45	89	0	5	0	254	259
2. Damages for breach of contract or loss or injury to property....	14	0	0	0	14	36	0	0	0	117	117
3. Damages for personal injuries and wrongs	7	0	0	0	7	13	0	0	0	13	13
4. Marriage or Divorce.	6	0	0	0	6	11	0	0	0	19	19
5. Inheritance	4	0	0	0	4	11	0	1	0	5	6
6. Other cases	22	0	0	0	22	119	0	7	0	365	372
Total....	125	0	0	0	125	433	0	16	0	901	917

MAULMAIN.
The 15th March 1870.

(*Continued.*)

GINAL.

Tavoy.				Mergui.				Shwe-gyeen.					
Deputy Commissioner.	Extra Asst: Commissioner.	Myo-okes.	Total.	Deputy Commissioner.	Extra Assistant Commissioner.	Myo-okes.	Total.	Deputy Commissioner.	Assistant Commissioner.	Extra Asst: Commissioner.	Myo-okes.	Total.	Grand Total.
0	6	7	13	0	4	2	6	0	0	3	20	23	48
0	16	46	62	0	5	9	14	0	0	4	38	42	210
0	7	17	24	0	2	1	3	0	0	7	3	10	40
0	1	4	5	0	0	2	2	0	0	3	3	6	14
0	12	20	32	0	1	3	4	9	0	8	3	11	48
0	7	18	25	0	3	34	37	0	1	77	14	92	182
0	32	30	62	0	139	19	158	1	6	187	391	585	1064
0	65	6	71	0	27	4	31	0	0	0	47	47	266
0	0	5	5	0	0	1	1	0	1	2	9	12	31
0	24	20	44	0	36	4	40	0	0	13	26	39	142
0	6	6	12	1	0	0	1	0	0	7	7	14	33
0	74	78	152	0	314	43	357	0	1	18	96	115	996
0	250	257	507	1	531	122	654	1	9	329	657	996	3074

E. M. RYAN,
Offg: Commissioner of Tenasserim.

No. III.

DETALL of SUITS disposed of by all the Courts in the Division of Tenasserim during the year 1869.

Description of Suits.	COURTS.	Rejected.	Decided on Trial. In favor of Appellant or Plaintiff	Decided on Trial. In favor of Respondent or Defendant.	Decreed ex-parte.	Compromised.	Withdrawn or dismissed in default.	Transferred.	Total.	Remarks.
APPEAS.	Commissioner's Court ...	5	7	12	0	0	3	0	27	
	Amherst District.									
	Deputy Commissioner, ...	7	47	51	0	1	0	0	106	
	Assistant do. ...	0	0	0	0	0	0	0	0	
	Extra do. ...	0	0	0	0	0	0	0	0	
	Myookes	0	0	0	0	0	0	0	0	
	Total ...	7	47	51	0	1	0	0	106	
	Tavoy District.									
	Deputy Commissioner ...	1	64	81	0	0	11	0	157	
	Extra Assistant do. ...	0	0	0	0	0	0	0	0	
	Myookes	0	0	0	0	0	0	0	0	
	Total	1	64	81	0	0	11	0	157	
	Mergui District.									
	Deputy Commissioner ...	0	17	16	0	0	0	0	33	
	Extra Assistant do. ...	0	0	0	0	0	0	0	0	
	Myo-okes...	0	0	0	0	0	0	0	0	
	Total ...	0	17	16	0	0	0	0	33	
	Shwè-gyeen District.									
	Deputy Commissioner ...	4	32	87	0	1	1	2	127	
	Assistant do.	0	0	0	0	0	0	0	0	
	Extra do.	0	0	0	0	0	0	0	0	
	Myookes	0	0	0	0	0	0	0	0	
	Total ...	4	32	87	0	1	1	2	127	
	Grand Total ...	17	167	247	0	2	15	2	450	

No. III—(*Continued.*)

Description of Suits.	COURTS.	Rejected.	Decided on Trial. In favor of Appellant or Plaintiff	Decided on Trial. In favor of Respondent or Defendt.	Decreed ex-parte.	Compromised.	Withdrawn or dismissed in default.	Transferred	Total.	Remarks.
ORIGINAL.	Commissioner's Court	0	0	0	0	0	0	0	0	
	Amherst District.									
	Deputy Commissioner	0	0	0	0	0	0	0	0	
	Assistant do. ...	0	9	6	0	1	3	0	19	
	Extra do. ...	7	423	218	50	66	133	12	909	
	Myo-okes									
	Total ...	7	432	224	50	67	136	12	928	
	Tavoy District.									
	Deputy Commr: ...	0	0	0	0	0	0	0	0	
	Extra Assistant do ...	8	164	49	7	45	1	1	275	
	Myo-okes	13	134	66	1	37	5	0	256	
	Total ...	21	298	115	8	82	6	1	531	
	Mergui District.									
	Deputy Commr: ...	0	0	1	0	0	0	0	1	
	Extra Assistant ...	5	387	51	22	3	61	0	529	
	Myo-okes	0	186	28	4	1	3	0	122	
	Total ...	5	473	80	26	4	64	0	652	
	Shwè-gyeen District.									
	Deputy Commr: ...	0	0	1	0	0	0	0	1	
	Assistant do. ...	0	6	1	3	0	1	0	11	
	Extra do. do. ...	0	211	26	13	61	18	0	329	
	Myo-okes	16	344	99	40	96	63	0	658	
	Total ...	16	561	127	56	157	82	0	999	
	Grand Total ...	49	1764	546	140	310	288	13	3110	

No. III.—*(Continued.)*

Description of Suits.	Courts.	Rejected.	Decided on Trial. In favor of Appellant or Plaintiff.	Decided on Trial. In favor of Respondent or Defendant.	Decreed ex-parte.	Compromised.	Withdrawn or dismissed in default.	Transferred.	Total.	Remarks.
Miscellaneous.	Commissioner's Court...	4	30	27	0	0	0	0	61	
	Amherst District.									
	Deputy Commissioner.	43	358	28	1	0	0	2	432	
	Assistant do. ...	2	19	0	0	1	1	5	28	
	Extra do. do. ...	2	340	112	9	13	38	4	518	
	Myo-okes									
	Total ...	47	717	140	10	14	39	11	976	
	Tavoy District.									
	Deputy Commissioner.	2	9	7	0	0	0	0	18	
	Extra Assistant do. ...	0	89	26	0	16	0	0	131	
	Myo-okes	1	44	5	0	8	1	0	59	
	Total ..	3	142	38	0	24	1	0	208	
	Mergui District.									
	Deputy Commissioner.	63	145	45	0	1	0	0	254	
	Extra Assistant do. ...	0	406	9	1	1	10	0	427	
	Myo-okes	0	100	1	0	0	0	0	101	
	Total ...	63	651	55	1	2	10	0	782	
	Shwè-gyeen District.									
	Deputy Commissioner.	3	5	3	0	0	0	0	11	
	Assistant do. ...	0	1	1	1	0	0	0	3	
	Extra do. do. ...	0	42	46	0	18	0	0	106	
	Myo-okes	1	136	6	0	13	0	0	156	
	Total ..	4	185	56	1	31	0	0	276	
	Grand Total ...	121	1724	316	12	71	50	11	2305	

MAULMAIN,
The 15th March 1870

E M RYAN,
Offg. Commissioner of Tenasserim.

No. IV.

SUPPLEMENTARY Civil Return of the Division of Tenasserim, for the year 1869.

1	2	3		4		5			6			7			8
Suits.	Courts	Longest period any Case on the file at the close of the year has been pending.		Average duration of Suits disposed of during the year 1869.		Total amount value of Suits instituted during the year 1869.			Value of Stamps on Law papers filed during the year 1869.			Costs of every description inclusive of Stamps and pleader's fees incurred by parties in Suits disposed of during the year 1869.			Remarks.
		M.	D.	M	D	Rs.	A.	P	Rs.	A.	P	Rs.	A.	P.	
Original.	Commissioner's Court ...														
	Amherst District.														
	Deputy Comr	"	"	"	"	0	0	0	0	0	0	0	0	0	
	Assistant do.	"	"	"	8	5,401	12	0	463	10	0	1,206	7	9	
	Extra do. do.	3	25	0	26	42,691	10	1	5,270	0	0	10,483	8	8	
	Myo-okes														
	Total...	"	"	"	"	48,093	6	1	5,733	10	0	11,690	0	5	
	Tavoy														
	Deputy. Comr.	"	"	"	"	0	0	0	0	0	0	0	0	0	
	Extra Asst do	3	27	"	20	14,495	11	5	1,890	11	0	2,221	0	0	
	Myo-okes	5	23	"	19	11,693	9	6	1,362	5	0	3,788	14	4	
	Total..	"	"	"	"	26,189	4	11	3,253	0	0	6,009	14	4	

No. IV.—(*Continued.*)

1	2	3		4		5			6			7			8
Suits	Courts.	Longest period any Case on the file at the close of the year has been pending		Average duration of Suits disposed of during the year 1869.		Total amount value of Suits instituted during the year 1869.			Value of Stamps on Law papers filed during the year 1869.			Costs of every description inclusive of Stamps and Pleaders's fees incurred by parties in Suits disposed of during the year 1869.			Remarks.
		M.	D.	M.	D.	Rs	A	P.	Rs.	A.	P.	Rs.	A.	P.	
Original.	Mergui.														
	Deputy Comr	„	„	„	13	4,431	4	4	279	9	0	773	6	0	
	Extra Asst do.	2	20	„	6	18,816	4	6	2,396	15	0	4,011	1	0	
	Myo-okes	„	„	„	6	3,673	12	11	485	8	0	1,079	14	10	
	Total...	„	„	„	„	26,921	5	9	3,162	0	0	5,864	5	10	
	Shwe-Gyeen.														
	Deputy Comr.	„	„	„	8	14	6	0	2	4	0	4	3	0	
	Assistant do.	„	„	„	5	2,814	2	0	292	0	0	311	11	8	
	Extra Asst. do.	„	„	„	5	25,801	15	0	3,449	8	0	2,640	0	0	
	Myo-okes	„	18	„	5	34,790	3	6	3,775	3	0	5,069	4	2	
	Total...	„	„	„	„	63,420	10	6	6,518	15	0	8,025	2	10	

APPEALS	Commissioner's Court ...	1	2	„	25	3,605	10	0	363	12	0	563	4	8
	AMHERST DISTRICT													
	Deputy Comr.	„	12	„	6	15,482	3	11	1,032	3	0	1,430	2	1
	Assistant do	„	„	„	„	0	0	0	0	0	0	0	0	0
	Extra Asst do	„	„	„	„	0	0	0	0	0	0	0	0	0
	Myo-okes ...	„	„	„	„	0	0	0	0	0	0	0	0	0
	Total ..	„	„	„	„	15,482	3	11	1,032	3	0	1,430	2	1
	TAVOY													
	Deputy Comr	5	„	„	20	13,857	15	2	1,828	15	0	2,236	12	0
	Extra Asst do	„	„	„	„	0	0	0	0	0	0	0	0	0
	Myo-okes	„	„	„	„	0	0	0	0	0	0	0	0	0
	Total ..	„	„	„	„	13,857	15	2	1,828	15	0	2,236	12	0
	MERGUI													
	Deputy Commr ...	„	„	„	14	2,280	13	4	218	0	0	416	11	4
	Extra Asst do . . .	„	„	„	„	0	0	0	0	0	0	0	0	0
	Myo-okes	„	„	„	„	0	0	0	0	0	0	0	0	0
	Total .	„	„	„	„	2,280	13	4	218	0	0	416	11	4
	SHWE-GYEEN													
	Deputy Commr.	1	16	„	6	13,720	11	4	1,336	0	0	1,526	0	0
	Assistant do	„	„	„	„	0	0	0	0	0	0	0	0	0
	Extra Asst do . .	„	„	„	„	0	0	0	0	0	0	0	0	0
	Myo-okes .	„	„	„	„	0	0	0	0	0	0	0	0	0
	Total	„	„	„	„	13,720	11	4	1,336	0	0	1,526	0	0

No. IV.—(*Continued.*)

1	2	3		4	5			6			7			8
SUITS	COURTS	Longest period any Case on the file at the close of the year has been pending.		Average duration of Suits disposed of during the year 1869.	Total amount value of Suits instituted during the year 1869.			Value of Stamps on Law papers filed during the year 1869.			Costs of every description inclusive of Stamps and Pleader's fees incurred by parties in Suits disposed of during the year			REMARKS
		M.	D.	M. D.	Rs.	A.	P.	Rs.	A.	P	Rs	A.	P.	
MISCELLANEOUS.	Commissioner.'s Court.	„	„	„ 1	0	0	0	61	0	0	124	8	0	
	AMHERST DISTRICT.													
	Deputy Commr. ...	„	20	„ 5	3,057	13	10	182	6	0	662	7	4	
	Assistant do. ...	„	„	„ 3	2,046	12	4	23	9	0	67	11	0	
	Extra do. do. ...	„	„	„ 12	9,421	13	3	576	13	0	1,655	3	1	
	Myo-okes ...	1	18	„										
	Total ..	„	„	„ „	14,526	7	5	782	12	0	2,383	5	5	
	TAVOY.													
	Deputy Commr: ...	„	7	„ 1	0	0	0	22	8	0	35	2	0	
	Extra Asst. do. ...	„	10	„ 1	0	0	0	169	12	0	335	6	0	
	Myo-okes ...	„	17	„ 1	0	0	0	53	4	0	94	14	0	
	Total ...	„	„	„ „	0	0	0	245	8	0	465	6	0	

MISCELLANEOUS.	MERGUI.													
	Deputy Comr.	„	„	„	1	1,655	8	0	49	5	0	483	7	0
	Extra Asst. do.	„	„	„	1	524	5	10	175	11	0	377	0	0
	Myo-okes	„	„	„	1	922	2	11	21	6	0	50	5	10
	Total.....	„	„	„	„	3,102	0	9	246	6	0	910	12	10
	SHWE-GYEEN.													
	Deputy Comr.	„	„	„	3	0	0	0	27	0	0	31	0	0
	Assistant do.	„	„	„	2	91	0	0	4	8	0	6	8	0
	Extra do. do.	„	„	„	4	480	0	0	53	8	0	85	8	0
	Myo-okes	„	16	„	3	3,410	9	4	455	12	0	725	9	0
	Total...	„	„	„	„	3,981	9	4	540	12	0	848	9	0
	Grand Total...	„	„	„	„	2,35,182	2	6	25,322	13	0	42,496	14	9

MAULMAIN,
The 15th March 1870.

E. M. RYAN,
Offg. Commissioner of Tenasserim.

No. V.

SUPPLEMENTARY Civil Return of the Tenasserim Division of British Burma for the year 1869.

1	2	3			4			5			6			7
Description of Suits.	Courts.	Total value of Suits decided during the year whenever instituted.			Value of Stamps on Suits instituted during the year whether decided or not			Value of all costs, except Stamps on Suits instituted during the year whether decided or not.			Total value of costs on Suits instituted during the year whether decided or not.			Remarks.
		Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.	Rs	A.	P.	
Appeals (Second)	Commissioner's Court, Tenasserim Division	3,525	10	0	363	12	0	199	8	8	563	4	8	
Original Suits	do. do.	0	0	0	0	0	0	0	0	0	0	0	0	
Miscellaneous Cases	do. do.	0	0	0	61	0	0	63	8	0	124	8	0	
	Total ...	3,525	10	0	424	12	0	263	0	8	687	12	8	
	Amherst District.													
Appeals (Regular)	Deputy Commissioner's Court	15,454	11	11	1,032	3	0	397	15	1	1,430	2	1	
Original Suits	Deputy Commissioner, Assistant Commr: and Extra Assistant Commissioners ..	47,466	6	1	5,733	10	0	5,956	6	5	11,690	0	5	
Miscellaneous Cases	do. do.	14,526	7	5	782	12	0	1,602	9	5	2,385	5	5	
	Total ...	77,447	9	5	7,548	9	0	7,956	14	11	15,505	7	11	
	Tavoy District.													
Appeals	Deputy Commissioner's Court	13,857	15	2	1,828	15	0	407	13	0	2,236	12	0	
Original Suits	Depy: Commr: and Extra Asst: Commrs:	26,114	4	11	3,253	0	0	2,756	14	4	6 009	14	4	
Miscellaneous Cases	do. do.	0	0	0	245	8	0	219	14	0	405	6	0	
	Total ...	39,972	4	1	5,327	7	0	3,384	9	4	8,712	0	4	

	Mergui District.													
Appeals	Deputy Commissioner's Court	2,280	13	4	218	0	0	198	11	4	416	11	4
Original Suits	Deputy Commissioner and Extra Assistant Commissioners	26,569	13	9	3,162	0	0	2,702	5	10	5,864	5	10
Miscellaneous Cases	do. do.	3,102	0	9	246	6	0	664	6	10	910	12	10
	Total ...	31,952	11	10	3,626	6	0	3,565	8	0	7,191	14	0
	Shwe-Gyeen District.													
Appeals	Deputy Commissioner's Court	12,825	10	0	1,336	0	0	190	0	0	1,526	0	0
Original Suits	Deputy Commissioner, Assistant Commissioner and Extra Assistant Commrs:	63,210	10	6	6,518	15	0	1,506	3	10	8,025	2	10
Miscellaneous Cases	do. do.	3,981	9	4	540	12	0	307	13	0	848	9	0
	Total ...	80,017	13	10	8,395	11	0	2,004	0	10	10,399	11	10
	Abstract.													
Appeals	Commissioner and Deputy Commissioners...	47,944	12	5	4,778	14	0	1,394	0	1	6,172	14	1
Original Suits	Deputy Commissioner, Assistant Commissioner and Extra Asst: Commissioners ...	1,63,361	3	3	18,667	9	0	12,921	14	5	31,589	7	5
Miscellaneous Cases	do. do. ...	21,610	1	6	1,876	6	0	2,858	3	3	4,734	9	3
	Grand Total ...	2,32,916	1	2	25,322	13	0	17,174	1	9	42,496	14	9

MAULMAIN,
The 15th March 1870.

E. M. RYAN,
Offg. Commissioner of Tenasserim.

A.

AVERAGE Duration of Suits in the Civil Courts of the Tenasserim Division of British Burma during the year 1869.

COURTS.	Appeals.		Original.		Miscellaneous.	
	M.	D.	M.	D.	M.	D.
Commissioner's Court	...	25	...	...	...	1
Court of Depy. Comr., Amherst District ...	...	6	...	...	...	5
do. do. do. Tavoy do. ...	...	20	...	...	...	1
do. do. do. Mergui do. ...	...	14	...	13	...	1
do. do. do. Shwé-gyeen do. ...	...	6	...	8	...	3
Courts of Asst. Comr., Amherst District ...	...	...	...	9	...	3
do. do. do. Shwè-gyeen do. ...	...	...	...	5	...	2
Court of Extra Assistant Commissioner.						
Court of Tseetkay, Shwé-gyeen District ...	...	...	...	5	...	4
do. Tavoy do. ...	...	...	...	20	...	1
do. Mergui do. ...	...	...	...	6	...	1
Court of Myo-okes, Amherst District ...	...	...	...	26	...	12
do. Tavoy do. ...	...	...	...	19	...	1
do. Mergui do. ...	...	...	...	6	...	1
do. Shwé-gyeen do. ...	...	...	...	5	...	3
Total average for the Division ...	...	14	...	11	...	3

B.

STATEMENT shewing the result of Appeals and Second Appeals in Civil Suits from all the Courts in the Tenasserim Division during the year 1869.

COURTS.	Number Rejected.	Decree for Appellant on trial.	Decree for Respondent on trial	Otherwise settled or adjusted.	Total.
Court of the Commr: Tenasserim Division ...	5	7	12	3	27
Court of Deputy Comr., Amherst District ...	7	47	51	1	106
do. do. Tavoy do.	1	64	81	11	157
do. do. Mergui do.	0	17	16	0	33
do. do. Shwé-gyeen do.	4	32	87	4	127
Total ...	17	167	247	19	450

MAULMAIN,
The 15th March 1870.

E. M. RYAN,
Offg. Commissioner of Tenasserim.

C.

STATEMENT shewing the results of Appeals and Second Appeals in all the Courts in the Tenasserim Division of British Burma, during the year 1869.

COURTS FROM WHICH THE SECOND APPEALS AND APPEALS WERE PREFERRED.	TENASSERIM DIV.				Total.
	Decree for Respondent.	Decree of the Lower Court reversed or modified.	Rejected.	Otherwise settled.	
2nd Appeals to the Court of the Commissioner Tenasserim Division.					
From Court of the Dy. Comr., Amherst District...	7	1	1	0	9
From do. do. Tavoy do. ...	1	2	2	1	6
From do. do. Mergui do. ...	0	1	0	1	2
From do. do. Shwè-gyeen do. ...	4	3	2	1	10
Total.....	12	7	5	3	27
Appeals to the Court of the Deputy Commissioner, Amherst District.					
From Court of the Asst. Commissioner, Amherst District...	4	1	0	0	5
From do. Myo-okes do. ...	47	46	7	1	101
Total.....	51	47	7	1	106
Appeals to the Court of the Deputy Commissioner, Tavoy District.					
From the Court of the Tsectkay, Tavoy District...	35	32	0	10	77
From do. Myo-okes do. ...	46	32	1	1	80
Total.....	81	64	1	11	157
Appeals to the Deputy Commissioner, Mergui District.					
From the Court of the Tsectkay, Mergui District.	16	16	0	0	32
From do. Myo-okes, do. ...	0	1	0	0	1
Total.....	16	17	0	0	33
Appeals to the Deputy Commissioner, Shwé-gyeen District.					
From the Asst. Commissioner, Shwè-gyeen District.	1	0	0	0	1
From Tsectkay do. ...	28	5	2	0	35
From Myo-okes do. ...	58	27	2	4	91
Total.....	87	32	4	4	127
Grand Total.....	247	167	17	19	450

MAULMAIN,
The 15th March 1870.

E. M. RYAN,
Offg. Commr. of Tenasserim.

D.

STATEMENT showing the duration of Civil Cases in each grade of Court in each District of the Tenasserim Division during the year 1869.

District.	Grade of Court	Number of Cases decided within days as under														Total number of cases	Total number of days.	Average duration of each case.
		1 day.	2 „	3 „	4 „	5 „	6 „	7 „	8 „	9 to 15 „	16 to 24 „	25 to 30 „	31 to 45 „	46 to 60 „	61 to 90 „	91 to 120 „			
Amherst.	*Original Suits.*																		
	Deputy Commissioner's Court.....	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
	Assistant Commissioner's Court.	4	...	...	...	2	5	5	...	1	...	2	...	...	..	...	19	154	8
	Myookes' Court ...	50	30	...	15	95	...	105	80	85	115	100	20	89	115	10	909	24192	26
	Total...	54	30	...	15	97	5	110	80	86	115	102	20	89	115	10	928	24346	26
Tavoy	*Original Suits.*																		
	Deputy Commissioner's Court....	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
	Tseetkay's Court ...	5	5	15	11	17	17	8	10	59	63	16	26	10	7	6	275	5536	20
	Myookes' Court ...	10	18	14	13	14	8	9	8	48	32	21	25	8	16	12	256	5089	19
	Total...	15	23	29	24	31	25	17	18	107	95	37	51	18	23	18	531	10625	20

MERGUI.	*Original Suits.*																		
	Deputy Commissioner's Court,	...	...	...	...	...	...	...	...	1	...	...	...	...	...	...	1	13	13
	Tseetkay's Court	...17	141	71	59	40	48	24	24	63	24	8	2	7	...	1	529	3610	6
	Myookes' Court,	... 6	38	36	11	8	7	3	1	7	2	...	1	...	1	1	122	780	6
	Total...	23	179	107	70	48	53	27	25	71	26	8	3	7	1	2	652	4403	7
SHWE-GYEEN.	*Original Suits.*																		
	Deputy Commissioner's Court...	...	...	...	...	...	...	...	1	...	...	...	...	...	...	...	1	8	8
	Assistant Commissioners' Court,	... 4	2	4	...	...	...	...	..	1	...	...	...	...	...	...	11	50	5
	Tseetkay's Court	...44	36	58	54	37	30	28	21	21	...	...	...	...	...	...	329	1664	5
	Myookes' Court	15	212	81	87	74	58	52	46	13	10	10	...	...	...	...	658	3420	5
	Total...	59	252	141	145	111	88	80	68	34	11	10	...	...	...	...	1009	5142	5

MAULMAIN,
The 15th March 1870.

E. M RYAN.
Offg. Commissioner of Tenasserim

E.

STATEMENT shewing the proportion in which Appeals from each grade of Court were decided or otherwise dealt with in the Tenasserim Division during the year 1869.

District.		From Dy. Comrs.' Court to Commissioner's.	From Asst. Comrs.' Court to Depy. Commissioner.	From Extra Asst. Comrs.' Court to Dy. Comr.	From Extra Asst. Comrs.' 2nd class, Tseetkays, to Dy. Commissioner.	From Extra Asst. Comrs.' 3rd class, Myo-okes, to Dy. Commissioner.
Amherst.	Judgment comfirmed including rejected cases	88·9	80·0	100·0	...	51·9
	Reversed or modified	11·1	20·0	...	...	41·1
	Otherwise disposed of	...	...	...	...	1·1
	Pending	...	...	...	...	1·9
Tavoy.	Judgment confirmed including rejected cases	42·8	...	...	45·4	58·7
	Reversed or modified	28·6	...	...	41·6	40·0
	Otherwise disposed of	14·3	...	...	13·0	1·3
	Pending	14·3	...	...	...	...
Mergui.	Judgment confirmed including rejected cases	...	...	...	50·0	...
	Reversed or modified	50 0	...	...	50·0	100·0
	Otherwise disposed of	50·0	...	...	...	...
	Pending	...	...	...	...	...
Shwe-Gyeen.	Judgment confirmed including rejected cases	60·0	100·0	...	...	61·2
	Reversed or modified	30·0	...	...	83·3	27·6
	Otherwise disposed of	10·0	...	...	13·9	4·1
	Pending	...	...	...	2·8	7·1
Tenasserim Division.	Judgment confirmed including rejected cases	60·7	83·3	100·0	55·8	56·9
	Reversed or modified	25·0	16·7	...	36·6	37·7
	Otherwise disposed of	10·7	...	...	6·9	2·2
	Pending	3·6	...	...	0.7	3·2

MAULMAIN,
The 15th March 1870.

E. M. RYAN,
Offg. Commissioner of Tenasserim.

F.

DETAILED Statement of Miscellaneous cases and those arising under section 22, of Act I of 1863, instituted, disposed of, and pending as entered in cols. 4 8, 12, and 16 of Statement No. I in the Courts of the Tenasserim Division for the year 1869.

Nature of Cases.	Pending.		Instituted.		Disposed of.		Pending.	
	Appeals	Miscellaneous Cases.	Appeals.	Miscellaneous Cases.	Appeals.	Miscellaneous Cases.	Appeals.	Miscellaneous Cases.
Amherst District.								
Letters of Administration under Act XXVII of 1860.	0	0	0	14	0	14	0	0
Application for probate under Act X of 1865. .	0	0	0	1	0	1	0	0
do. to take possession of deceased property under Act XIX of 1841.	0	0	0	1	0	1	0	0
do. for execution of decree from Recorder's Court	0	0	0	62	0	62	0	0
Objection to attachment of property in execution of decree	0	3	0	22	0	24	0	1
Application for review of Judgment	0	0	0	4	0	4	0	0
Interlocutory order	0	0	0	326	0	326	0	0
Application for execution of Decrees &c &c. in Asst. and Ex: Asst. Comrs.' Courts... .	0	41	0	532	0	546	0	27
Total ..	0	44	0	962	0	978	0	28
Tavoy District.								
Petition for review of Judgment	0	0	0	14	0	14	0	0
Application for Certificate for the collection of debts and succession	0	0	0	17	0	17	0	0
do. for execution of decrees	0	0	2	152	2	152	0	0
Miscellaneous Cases referred by the Deputy Comr:		0	0	11	0	11	0	0
All other Miscellaneous Cases &c. &c.	0	0	0	12	0	12	0	0
Total .	0	0	2	206	2	206	0	0

F.—(*Continued.*)

Nature of Cases.	Pending.		Instituted.		Disposed of.		Pending.	
	Appeals.	Miscellaneous Cases.	Appeals.	Miscellaneous Cases.	Appeals.	Miscellaneous Cases.	Appeals.	Miscellaneous Cases.
Mergui District.								
Application for copy of decree	0	0	0	245	0	245	0	0
Petition regarding cost of Suit	0	0	0	6	0	6	0	0
Application for execution of decree	0	0	0	98	0	98	0	0
Miscellaneous Petition	0	0	0	433	0	433	0	0
Total ...	0	0	0	782	0	782	0	0
Shwé-gyeen District.								
Petition of Appeal against orders of Myookes and Tseetkays	0	0	4	10	4	10	0	0
Application for execution of decrees, and withdrawal of warrants	0	0	0	233	0	222	0	11
do. for restoration of property in custody of Court	0	0	0	2	0	2	0	0
do for Certificate to administer Intestate Estates	0	0	0	2	0	2	0	0
Other Miscellaneous Cases	0	3	0	33	0	36	0	0
Total ..	0	3	4	280	4	272	0	11

MAULMAIN,
The 15th March 1870.

E. M. RYAN.
Offg. Commissioner of Tenasserim